Coalition

WASHINGTON REPORT

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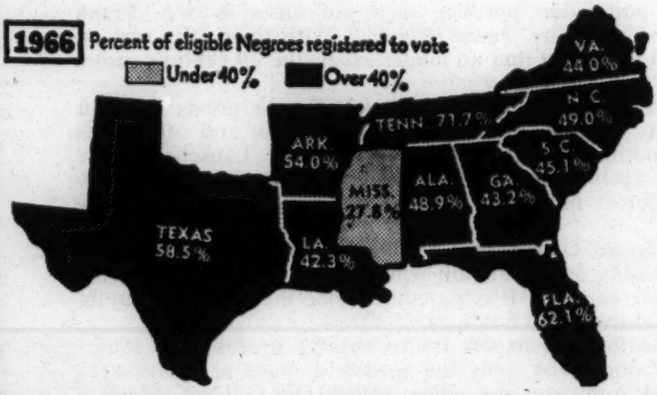
United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW, AFL-CIO

We're with you

Martin Luther King and Reuther

Taunting rednecks

The Mississippi March



These pictures taken during Meredith Freedom March in Mississippi by Black Star's Matt Herron tell UAW's solidarity with cause of freedom.

President Reuther marches in Mississippi

Marching to freedom

It's a long, dusty road

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ON THE ROAD: About 300 marchers, Negro and white, took part in the Mississippi March Sunday, June 19, and walked the 15 miles from Morgan City to Belzoni.

RWDSUers Join March for Freedom in Mississippi

TAKING A BREAK: After eight miles of hiking in the hot sun, walkers take a break. Two thousand greeted marchers when they got to Belzoni that afternoon.

MEMPHIS, Tenn.—Earl H. Fisher, president of Local 19. 19, and members of his local have been on lots of lines, mostly picketing, but they'd never been on this kind of line before.

The line was the Mississippi March for Freedom, a line that covered 260 miles across rural Mississippi in three weeks to encourage Negroes to register.

Fisher and four other local members—Joe Barton, James Turner, Leroy Boyd and James Dinkins—drove from Memphis to Morgan City June 19, and walked the 15 miles from Morgan City to Belzoni.

Fisher said that many Negro tenant farmers along the march's route, although long kept in virtual serfdom by whites, came out to cheer the marchers and offer them ice water and some joined the march. When the 300 marchers got to Belzoni about four that afternoon, there were 2,000 people there to join them for a brief rally on the highway.

"It was quite an experience," Fisher said.

When the march arrived in Jackson the following Sunday, 12,000 people gathered for a rally in front of the state capitol.

The march was started by James H. Meredith, who desegregated the University of Mississippi in 1962. Meredith was shot from ambush on the second day of the march, but he recovered from his wounds and returned to lead the march into Jackson.

RWDSUers MARCH FOR FREEDOM: After the day's march, Local 19 members (left to right) Joe Barton, James Turner, Leroy Boyd, James Dinkins and Pres. Earl H. Fisher prepare to drive back to Memphis. All marchers were warned to be off the highways after dark because of the Ku Klux Klan.

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An Address by Claude Ramsay, President of the Mississippi AFL-CIO

To the NDEA Institute in History, University of Mississippi, July 14, 1966

Recd 8/29/66

Organized Labor and Politics in Mississippi

When I accepted Doctor Baylen's invitation to address you a few months ago I assumed the subject matter would be rather easy to deal with. After accepting the invitation, however, I discovered that I had taken on quite an assignment. Our subject yesterday was relatively easy compared to our topic today.

Politics in Mississippi for the past one hundred years has been a rather complicated affair. When organized labor and the Negro are added, it becomes slightly more than complicated. Yesterday we briefly reviewed the history of organized labor in the United States so that you would more fully understand our problems in Mississippi. Today I propose to take the same approach. We will briefly touch the National scene and then, to the best of my ability, review the situation at the State level.

The American Labor Movement learned early that many of its objectives could not be attained at the bargaining table. Many of these objectives required Legislative action. From experience, organized labor had also learned that many of its hard won gains at the bargaining table could be taken away by one stroke of the legislative pen. This meant, as a matter of necessity, that Labor had to become active in politics.

For years the American Federation of Labor tried to stand aloof from the political arena. Samuel Gompers felt that an active lobby in Washington would suffice. This attitude almost proved fatal; lobbying had little effect on members of Congress who had been elected by enemies of the labor movement.

In 1890, Congress passed the Sherman Anti-Trust Act. This Act, supposedly, was designed to hold down and control monopolies in the business community. The Act had not been on the statute books long, however, when its full force was brought to bear against trade unions. For twenty long years the American Labor Movement was harassed and persecuted with this law. Millions of dollars were spent in the courts and many unions were destroyed during this period. Finally, in 1914, Congress passed the Clayton Act which clearly stated, and I quote, "The labor of a human being is not a commodity or article of commerce." Even though the Clayton Act removed organized labor from the clutches of the Anti-Trust Act, progress was slow for the next twenty years.

During most of this period the Nation was on a superficial binge. It was to take a great depression and thousands of people out of work before the Nation was to come to its senses. As I advised you yesterday, I was thirteen years old when the depression came and have a vivid memory of those dark days during the history of this country.

When Franklin D. Roosevelt was elected President in 1932, a Congress committed to social reform was also elected. The Nation was on the verge of revolt and it was very apparent that something had to be done. During Roosevelt's first and second terms in office, Congress passed a steady stream of legislative acts designed to not only get America back on its feet but to also prevent any more disasters such as what occurred in 1929. Most of this legislation had long been advocated by the American Labor Movement. Briefly, I would like to review a few of those measures with you and attempt to show what they mean to the American people.

The economy of this state and of the Nation is dependent, to a large degree, upon the purchasing power of the work force. Many of the New Deal measures were designed to stabilize and shore up that purchasing power. The Wagner Act or National Labor Relations Act passed in 1935 gave labor a legal right to organize. This Act established a National policy of encouraging the collective bargaining process and set up certain safeguards for working people who wished to organize. As a result, we have over 17 million organized workers in the United States today who are covered by labor agreements. Wages and other conditions are nailed down by contract. This means that employers can not cut wages when a depression appears on the horizon.

The Fair Labor Standard Act or Minimum Wage puts a floor under wages for most workers who work in industries dealing in interstate commerce. This law has a stabilizing effect, for it also prevents wage reductions below the minimum in unorganized industries.

The Employment Security Act provides unemployment insurance for workers who are thrown out of work by no fault of their own. This Act provides them with some income whereby he can purchase the necessities of life.

The Social Security Act provides purchasing power for the retired workers and keeps them from becoming wards of society. Recent amendments also provide hospital and medical care.

Added together, all of these things have done much to stabilize the economy. In my opinion they prevented at least two depressions in the Fifties during the Eisenhower Administration. Obviously, many of the programs initiated by Presidents Kennedy and Johnson are designed to further improve the programs began by F.D.R.

Beginning in 1932, organized labor had a 15-year period of unparalleled success. More workers were organized than during any period, and many of Labor's legislative goals were attained. Tough days were ahead however, for an anti-labor Congress was elected in 1946. This Congress, in 1947, went to work immediately on the National Labor Relations Act. When the smoke cleared, labor had received a set back in the form of the Taft-Hartley Act. This Act removed many of the protective

measures of the old Wagner Act and opened the door to Pandora's box by adding a new section, commonly known as 14-B. This section of the law is responsible for so-called "Right to Work" laws in 19 states. Mississippi,naturally, is one of those states.

Taft-Hartley was a signal to the labor movement that its efforts had to be redoubled in the political arena. Even so, things did not move in the right direction until after the merger of the AFL and CIO in 1955. In 1955, the AFL-CIO formed the Committee on Political Education. This, the political arm of the AFL-CIO, probably made the difference in President Kennedy's election in 1960 and certainly had much to do with the election of a friendly Congress that year. COPE had much to do with providing President Johnson with his landslide victory in 1964 and helped elect the most liberal Congress since 1932. COPE is presently working overtime to keep that majority intact in this off year election.

In view of the tremendous victory in 1964, organized labor had every reason to believe that Section 14-B of the Taft-Hartley Act would be repealed. As everyone knows, the House passed the repealer last year but a filibuster prevented it from being voted on in the Senate. Senator Eastland of this state certainly didn't endear himself with the members of my organization when he helped conduct that filibuster.

Having briefly touched the National picture, I will now attempt to review the Mississippi political situation from Labor's point of view.

Mississippi has the lowest per capita income of any state in the Nation. No state gains more by an increase in the minimum wage than does our state, yet our Congressional delegation consistently votes against minimum wage increases.

Our school teachers are the lowest paid of any state. We spend a larger percentage of our tax dollar for education than do many states,yet we spend less on each pupil than any state. No state benefits more from Federal Aid to Education than does Mississippi, yet our two Senators and our five Congressmen consistently vote against Federal Aid to Education.

We have a larger percentage of people on the Social Security rolls than many states. Yet, our Congressional delegation consistently votes against improvements to this Ac .

We have over fifty five thousand AFL-CIO members residing in Mississippi. When the House of Representatives voted to repeal Section 14-B of the Taft-Hartley Act, all five voted against repeal and, as I have already stated, Senator Eastland helped carry on a filibuster that prevented the Senate from voting.

You may well ask yourself as I have, who do these people represent in the Congress of the United States? It certainly isn't the poor workers,the school teachers, the retired people or the union people. When you total up the groups just mentioned, you

come up with a vast majority of the people who live and work in this state. How and why is this possible? I hope to answer that question later on in my remarks.

In 1959, the organization I represent warned the people of Mississippi what would happen if Ross Barnett was elected Governor. The record speaks for itself. Barnett's Administration will go down in history as one of the worst ever. Our predictions were far short of what actually happened.

When the legislature convened in Jackson in January of 1960, we had one of the best Workmen's Compensation laws of any state. When it left town six months later, we had one of the worst. When Barnett was elected Governor we had a fairly progressive tax system. He and the legislature changed it to one of the worst. A windfall of 18 or 20 million dollars per biennium was handed to corporations and the wealthy in the form of tax reductions. In 1960, the state had 35 million dollars in surplus funds. Two years later the state was broke. In 1962, this same Governor and this same legislature raised the sales tax to balance the budget. In a period of two years, the cost of state government was shifted from the backs of those best able to pay to the backs of those least able to pay.

When Barnett was elected Governor we had a so-called "Right to Work" law on the statute books. As payment to some of his financial supporters, he initiated a move to make this law a part of the Constitution. The object, of course, was to make it more difficult to repeal. As long as this law was a simple legislative act, any session of the legislature could repeal it by a majority vote of both Houses. Barnett and his cohorts knew that this would be done as soon as the people realized what "Right to Work" was all about.

In 1962, at the end of the second regular session of the legislature, Barnett's stock was at an all time low. Any one associated with his Administration was thought to be dead politically for all time to come. This was not to be, however, for a young Negro by the name of James Meridith gave Barnett an out. When the Courts ordered Meridith's admission to this University, Barnett and the people around him saw this as an opportunity to create a diversion and in so doing to get the people's minds on something other than his putrid Administration.

Use it he did. He came close to ruining this University and almost wrecked the state, but he got the people's minds on something other than the Capitol in Jackson. In spite of Senator Robert Kennedy's recent exposure of Barnett's double-dealing in this situation, we must worry today over the prospect of this man being Governor again.

After reviewing the deplorable voting record of the Mississippi Congressional delegation, the Barnett Administration and the Mississippi Legislature, the Mississippi AFL-CIO decided in the fall of 1960 that the time was overdue for Labor to initiate a concerted political action program in our state. Consequently, in a special convention,

the organization adopted a "Program of Progress." This program spelled out our legislative goals and levied an assessment of $1.50 per member per year with which to finance the program. In reality, the program is simple. It concentrates on voter registration, voter education and communication with the rank and file. The assessment provided the necessary funds to purchase an addressograph system and other needed equipment. This equipment was purchased in 1961. By the fall of 1963, we had approximately twenty five thousand names and addresses on addressograph plates. In the meantime the legislature was reapportioned, giving the industrial counties more representation in that body.

When our "Program of Progress" was adopted in 1961, the Hederman press in Jackson branded it as an attempt by organized labor to take over our state government. I want to read you the eighteen legislative goals of that program, and let you decide whether or not we have the interest of our state at heart. The eighteen points are as follows:

1. Establish a State Department of Labor
2. Reapportion State Legislature
3. Increase Workmen's Compensation
4. Provide State Quaranteed Loans for College Education to Qualified High School Graduates
5. Increase Unemployment Insurance
6. Revise Mississippi Tax Laws
7. Enact State Davis-Bacon Prevailing Wage Law
8. Change Primary Elections from Tuesdays to Saturdays
9. Enact Temporary Disability Insurance Law
10. Raise Salaries of Mississippi School Teachers up to Average for Southern States
11. Enact Comprehensive Child Labor Laws
12. Enact State Civil Service Law to Cover all State Employees
13. Qualify Women as Jurors on Equal Basis with Men
14. Increase Maximum Amounts of Assistance to the Aged and to the Permanently and Totally Disabled
15. Amend State Constitution to Provide Initiative Referendum Procedures
16. Enact State Fair Labor Standards Act
17. Amend State Constitution to Eliminate Poll Tax Payments as Requirement to Qualify to Vote
18. Enact Law Requiring Equal Pay to Women for Work Equal to that Done by Men

As you will note, not one point of this program is designed to help union members only. Our program is designed to uplift the state as a whole - our enemies to the contrary.

Our political action program is built around fourteen Central Labor Councils throughout the state. These organizations represent AFL-CIO local unions at the county

and city level. Most of them have several counties under their jurisdiction. Representatives of these organizations interview candidates who are running for city or county offices. They check voting records of members of the legislature and make recommendations to the membership based upon their findings. Using our mailing equipment, we at the state office make this information available to the individual member. This is the thing that disturbs the Hederman press; they are afraid of an informed electorate.

This system and our equipment was used in the elections of 1963. Our efforts, along with reapportionment, has brought a small degree of change to the legislature. This is especially true in the Senate. Even so, there is still much room for improvement.

We mark progress in this state by the lack of damage done, not by progressive legislation adopted. This is due primarily to the fact that the legislature, as presently constituted, is not a truly representative body. It is due in part to the archaic rules that govern the assembly. It is due in part to the method of selecting the Speaker of the House of Representatives and is especially true in the method of selecting committees and committee chairmen. Contrary to the belief of many, the Governor is not the most powerful man in Mississippi. The most powerful man in this state is the Speaker of the House of Representatives. He appoints all committees and committee chairmen in the House and by virtue of this fact has a stranglehold on legislation considered by that body. Yet, this man answers to only a few thousand people in his district. The school teachers of this state found out how powerful this man was during the recent session of the legislature when he blocked for months their efforts to secure a pay increase.

The Senate, on the other hand, is much more responsive to the wishes of the people. In my opinion, this can be attributed to two factors. This body is more properly apportioned than the House and the presiding officer, the Lieutenant Governor, is elected state-at-large. The Senate provides us with hope for the future. It seems reasonable to assume that considerable progress will be made when both Houses are properly apportioned.

In a negative sort of way, the Negro has dominated Mississippi politics for many years. Instead of running for or against issues affecting the economic welfare of the people, most candidates have been elected on their ability to use the race issue. The reason for this of course centers around the fact that very few Negroes were allowed to use the ballot. For years we had the most stringent voter qualification laws of any state in the Nation. These laws, supposedly, were designed to keep the Negro from voting. In actuality, they kept the number of qualified voters down to a bare minimum.

A few years ago I read a report issued by the American Heritage Foundation which disclosed that Mississippi had the lowest percentage of people of voting age who were qualified to vote of any state in the Nation. These figures disclosed that only twenty five percent were qualified. At that time, only five percent of the Negroes were qualified. This means that at that time only twenty percent of the whites of voting age were qualified. To me this explains the election of people like Ross Barnett. It also explains the deplorable voting record of our Congressional delegation. Why should they worry about such things as minimum wage, education, social security and organized labor when a great majority of these people affected were not qualified to vote.

Without question, the system of government in these United States is the best yet devised by man. While our two major political parties leave much to be desired, their very existence has brought stability to our government down through the years. In reviewing the political history of our state, it is necessary in my opinion to acknowledge that many of our present day problems stem from the absence of a two-party system. This began in 1890 when James K.Vardaman first established the "Closed Society." Vardaman's ideas were actually a closed political system that excluded Negroes from the polling place and at the same time eliminated the Republican Party from the state. For over seventy years Vardaman's ideas prevailed. They prevailed, in large part, because the Republican Party was Lincoln's Party and any one who even thought about voting Republican was branded as a traitor to the state and to the South.

During Franklin D. Roosevelt's second term, cracks began to appear in the one-party Democratic South. When Roosevelt was first elected in 1932, he received a vast majority of the Southern vote, including those in Mississippi. The same thing occurred four years later but at the end of his second term, voices of dissent were beginning to be heard. The reason for this dissent was simple, Roosevelt was showing concern for the plight of the American Negro. Harry Truman continued Roosevelt's policies when he took over after FDR's death in 1945 and, as a result, Mississippi and several other states bolted the Democratic Party in 1948. As we all know the third party movement of that year was designed to prevent Truman's election. The people behind this movement felt Truman had to have the South to win. He proved them wrong and things have never been the same since.

The abortion of 1948 brought forth a strange political creature. He has been called a Dixiecrat by many but I prefer to call him a Republicrat. He is elected as a Democrat, accumulates seniority and receives committee assignments as a Democrat yet he is seldom loyal to the National Democratic Party. He consistently votes with the Republicans in Congress and several have even supported the nominees of the Republican Party in Presidential elections.

In 1960, several of our Republicrats supported Barnett's unpledged electors' scheme and helped throw our electoral vote down the drain. In so doing, they helped to create a Frankenstein which has already eliminated one of their members and will probably retire several more in the near future.

IN 1964, a man riding a white horse from out of the west, by the name of Barry Goldwater, carried the state by a lopsided majority. Goldwater, the Republican nominee, was to be the beneficiary of the political climate that began in 1948. Lyndon Johnson, the first man from the South to occupy the White House in a hundred years, received only 13 percent of the total vote cast in Mississippi. I can assure you, being a part of that 13% was quite an experience.

Lyndon Johnson's poor showing can be attributed in a large part to the fact that our entire Congressional delegation sat on their hands. They found themselves in a trap of their own making and were afraid to identify themselves with the National Democratic Party.

I consider myself a Democrat of the Roosevelt persuasion, yet I contend that a bonafide Republican Party is badly needed in our state. As a matter of fact, I will go one step further and say that the aims and objectives of the National Democratic Party can best be served in Mississippi with the establishment of a Republican Party. To carry this theory a little further, I suggest that most of the Democratic Party office holders in Mississippi should belong to the Republican Party. The voting record of our Congressional delegation certainly indicates that these people are affiliated with the wrong party. What may I ask, outside of party label, is the difference between Jim Eastland and Prentiss Walker? Eastland has been in office longer than Walker, has voted with the Republican Party consistently, yet Walker is out to replace him in the Senate. Eastland is a good example of one of the glaring weaknesses of our system, the lack of party responsibility. If people like Eastland can't support the platform and nominess of the National party, they have no right to positions of power within that party.

The gubernatorial election in 1964 marked the end to a one party system in the state of Mississippi. Rubel Phillips may never be Governor of this state but I predict he will hav a place in Mississippi history. When Phillips received almost forty percent of the vote in that election, he assured a two party system in our state from that point on. The Goldwater vote in the Presidential election a year later further established this fact. After generations of voting the straight Democratic ticket, no matter who the candidate, the people of this state finally decided they could vote Republican without becoming contaminated. My major concern at this time centers around the fact that we are now in danger of becoming a one party Republican state. As I view

the situation, Organized Labor and the newly enfranchised Negroes are the only forces around to prevent it from happening.

Since the debacle of 1964, I, along with a number of other people, have spent considerable time in attempting to rebuild the Democratic Party in the state. As of this date, little fruit has resulted from these efforts. Our major accomplishment up to this point has been with the Young Democrat Clubs of America. The National organization finally granted a charter to a bi-racial group that is pledged to the National Party.

It appears that the Mississippi Democratic Party is going to have to suffer several more defeats before it is willing to reorganize along the same lines. As I have pointed out to the National Democratic Committee, the Republican Party in Mississippi is well organized and well financed. This means the Republicans are going to have much more political success in the near future than the Democrats, unless the Democrats also organize.

In final analysis it can be said that Organized Labor, the Republican Party and the Negro will play important roles in Mississippi politics in the near future, or so I predict. Several factors prompt me to make this statement. Our state has already modified its registration laws and the poll tax is out of the picture. These things were done, of course, as a result of pressure from Washington. The fact remains, we now have liberal registration laws.

Instead of twenty five percent, we should have seventy five percent of the people of voting age registered in the near future. This means that the politicians of this state will have to be more responsive to the needs of the people or face defeat.

As already stated, the Negro has played a negative role in Mississippi politics for many years. Instead of a negative role, he will be playing a positive one in the near future. We in the AFL-CIO intend to see that he does play a positive role.

Twenty six counties in Mississippi have a Negro population majority. Many of Labor's worst enemies in the Mississippi Legislature live in these counties. We have very few members residing in these counties; if these people are removed from office, it will have to be done with the Negro vote. To a large degree our legislative program is dependent upon our ability to form political alliance with these people. This we are trying to do. The enemies of the labor movement in this state know this and are working overtime to keep it from coming about. These enemies can be found in both the white and Negro communities.

For years we have been doing battle with the "Radical Right" in this state. Today we are faced with a similar problem from the "Radical Left" that has attached itself to the Negro community. We intend to meet this challenge also. As I stated yesterday, the AFL-CIO has always resisted any group or element that would subvert our system of

government. We intend to continue that policy in Mississippi.

Ninety nine percent of the Negroes in this state are working people. They have a direct interest in such things as minimum wage, aid to education, social security and other phases of our legislative program. Working with such groups as the Voter Registration and Education League and the League of Women Voters, we intend to do our best to politically educate these new voters. We certainly intend to provide them with the record of those office holders who have consistently voted against the welfare of the people of this state.

As I stated yesterday, we are making considerable progress in the field of organization. Within the next few years we expect to add several more thousand members to our ranks. Using our mailing system, we hope to be able to politically educate these new members as well as the ones already organized. If our educational efforts are successful and if we are able to form political alliance with the Negro and other liberal forces in the state, we will have a new day in Mississippi.

Certainly, we have some tough days ahead of us. It will take a lot of doing to bring a semblance of political stability to Mississippi, but I am convinced that it can and will be done. Within the next few years the "race issue" should recede into the background. When this happens the Unpledged Democrats and the Freedom Democrats will be forced to join one of the major political parties. With a two-party system in operation, people will then begin to vote for candidates who identify with their own economic interest.

All of you have a stake in the final outcome. I welcome you to join with us in making this state a better place in which to live.

Coalition

Virginia Primary Seen Victory For New South

By Saul Miller

The emergence of a New South, geared to sharp moderation of die-hard southern conservatism, took a giant step forward with the apparent defeat of two of the Old South's major leaders and a very slim victory for a third.

The Virginia Democratic primary elections virtually spelled the end of the organization of former Sen. Harry F. Byrd which had dominated Democratic Party politics in the state for nearly 40 years.

Major victim of the assault on the old-line Dixiecrats was Rep. Howard W. Smith, an 18-term member of the House who as chairman of the House Rules Committee has until fairly recently held life-or-death decisions over legislation.

An extreme conservative on economic, social and race matters, Smith, 83, lost unofficially by 364 votes to George C. Rawlings, Jr., a 44-year-old member of the Virginia House of Delegates from Fredericksburg.

Rawlings' stunning upset of the entrenched Smith, who had not lost an election in 60 years, was paralleled by the unofficial defeat of Sen. A. Willis Robertson, 79, chairman of the Senate Banking Committee, by State Sen. William B. Spong, Jr., of Portsmouth by some-

(Continued on Page 6)

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"Until we have a coalition of forces: Catholic, Protestant, Jewish, Negro, trade union, intellectuals, students and the enlightened business community, as a political movement there is not a single thing that we will eke out of this society, because we must now go to Congress to get billions of dollars to make whatever is possible, possible.

"The new program which will make it possible for the poor to become a part of the American society now comes into history in the year 1966 and meets exactly with labor's basic objectives.

"That program obviously includes the minimum wage. A $2 minimum wage tomorrow would do a hundred times as much overnight to bring millions and billions of dollars into the coffers of the poor as the present war on poverty will do in a hundred years.

"And we must fight to the death the notion that as long as there are 4 percent unemployed, that somehow or other this is good. Who are these 4 percent? They are not men; a man is a worker. If you say, 'Who is this man in RWDSU,' you will say he is a salesman or a clerk. But if I ask you who Mrs. Jones is who is on relief, the answer is, 'She is nobody,' for she is not a worker. And it is work and the dignity of work that we must stand for."

Bayard Rustin

June 12, 1966

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rwdsu RECORD

Coalition Also See following article Aug 11, 1966

between Thai Buddhist and Thai Muslim that permeates the simplest relationships. The Buddhists regard the Muslims much as white farmers in Mississippi regard Negro sharecroppers. And since in the south the government official is almost always a Buddhist and the peasant a Muslim, the antipathy grows and communication lapses.

Officially, Bangkok attempts to reduce friction between its Buddhist and Muslim citizens. Recently a group of Muslim students who journeyed north to attend a handicraft exhibition in the capital were invited for an audience with the King, who is a demigod in Thailand's Buddhist theology. The Police Ministry has announced the opening of a course in Malay for policemen assigned to the south. But the government's attempts at conciliation are sometimes inept. The state-built blue-and-pink mosque in Pattani is crowded with the faithful on Fridays, but a short distance away in Narathiwat a high school stands vacant because the government did not install the separate kitchens required by Muslim dietary laws.

Last year the south was infested with Indonesian guerrillas en route to Malaysia. Dropped from unmarked planes or landed in small boats on Thailand's underpopulated western coast, which faces the island of Sumatra across the Strait of Malacca, the Indonesians were helped south into Malaysia by C.T.s who took their pay in arms and ammunition. Now that the Malaysian and Indonesian Foreign Ministers who met in Bangkok in May have buried the kris, this added irritant to the southern situation has been eliminated. But the threat of a Communist insurgency there remains serious, particularly if links have been established with the Thai Liberation Front in the northeast. Since even a small-scale guerrilla action could absorb almost all of Thailand's defense energies, the prospect of two co-ordinated campaigns is finally making American observers here take notice of the south. As one of the embassy political experts said, "If the Communists ever move into a full-fledged insurgency in both the south and the northeast at the same time, Thailand will have more than it can handle alone."

AT HOME & ABROAD

The Negro Stake In Washington Home Rule

MARTIN F. NOLAN

"I AM in love with Washington," Mrs. Johnson told readers of the Washington *Post* recently. "It is a vivid, stimulating city, full of pageant and great deeds. . . ." One stimulus that the city does not offer, however, is enjoyed by nearly every other United States territory, possession, and political entity: rudimentary self-government. The restoration of "home rule," taken away from Washington in 1874, has been a continuing interest of Mrs. Johnson's husband, who spoke thus of the city last August 26, ten days after the rioting in the Watts section of Los Angeles had ended:

"Those of you here in the District of Columbia, I want to warn you this morning that the clock is ticking, time is moving, that we should and we must ask ourselves every night when we go home; are we doing all that we should do in our Nation's capital . . . ?" What gave the President's remarks particular urgency was the fact that home rule for the District has now become pre-eminently a civil-rights issue, with significance for the nation at large. At that moment, the President was doing all he could for a discharge petition to dislodge a home-rule bill from the House District Committee. The petition achieved success on September 3, with nine Texans among the last thirty-five Congressmen to sign, even though six of the nine later voted against bringing up the bill for debate. Earlier, the Senate had passed a home-rule bill for the sixth time. The bill called for an elected mayor, city council, and board of education and an automatic Federal payment to the District. (In fiscal 1966 the government paid 13.7 per cent of the District's general fund and operated certain highways and parks.)

Washingtonians had elected their own officials under several charters from 1802 until 1874, when Congress, outraged by the $20-million cost of public-works improvements in the city's expansion, took away self-government and established a system whereby the President appointed a three-man commission to govern the city. The commission governs the city today, along with a dozen other semi-Federal agencies, commissions, and advisory boards, all of whom owe direct allegiance to various bureaucratic satrapies. By statute, one of the commissioners is from the Army Corps of Engineers, usually a brigadier general, who oversees highways and other public works.

IN ITS ninety-two years without self-government, Washington has seen spurts of interest in home rule, usually coinciding with other causes such as women's suffrage and civil rights. The latest surge began in the late 1940's, when a few government lawyers helped form the Washington Home Rule Committee, now headed by Richard K. Lyon, a Washington-born lawyer. Traditional "white liberal" organizations like the city's labor groups, led by J. C. Turner, and the Democratic Central Committee, whose chairman is Joseph L. Rauh, Jr., have provided much of the muscle and manpower for this lobbying effort. Last fall, with the open aid of the White House and the firm prospect of a House vote, the cause of home rule never seemed brighter and its advocates never happier.

But after three days of lively debate, the House on September 29 killed the administration plan by substituting a proposal for a charter board. The charter plan's author, Representative B. F. Sisk, a California Democrat, told House mem-

bers that this method was the same used "when your city or home town seeks either an original charter or a new charter."

A wide selection of charters had been offered to the House District Committee over the years, but without reaching the House floor. The protagonist in moving the Sisk substitute and killing the administration bill was Howard W. Smith of Virginia, chairman of the Rules Committee and one of ten Southerners on the District Committee. Smith, who was defeated in this year's Virginia primary, made a one-man stand against home rule, an effort his admirers considered his finest hour. In his beguiling wing-collar style of oratory, "Judge" Smith warned of the "fact that they are going to tax the Capitol. They are going to tax the White House. They are going to tax the chairs you gentlemen sit in today. . . . How much are those big leather chairs going to be appraised for when the Washington city-government agents come up here? What about that sumptuous furniture they have over in the Rayburn Building and all that kitchen equipment and various and sundry doodads and so forth?"

After Smith sat down to lusty applause, Carlton R. Sickles, a second-term Democrat from Maryland, spoke, saying of himself: "I think maybe they sent a boy to do a man's job because, like many in the House, I was impressed by the remarks of the previous speaker in the well." Sickles understated the case. Just as in the heyday of his conservative coalition, Smith rounded up Republican, Southern, and lukewarm Northern votes behind the Sisk substitute, which prevailed against administration efforts, 227-174. After a motion to recommit failed, Sisk's bill was passed, although Smith and sixty-six other sons of the Confederacy voted against final passage.

The Unmentioned Issue

So home rule failed, one of the few casualties among the President's Great Society programs. The reasons for its demise range from a weariness with White House pressures to a Congressional fondness for its prerogatives, which allow the city to maintain low prices on liquor, cigarettes, and taxi rides. The most fundamental reason for failure was the nationwide apathy enveloping home rule, alone among major domestic issues of 1965. Although a Harris Poll showed a 6-1 majority of Americans favoring self-government for Washington, the poll did not detect any passionate devotion to the cause.

Perhaps most people find it difficult to comprehend that in an age of broadened civil rights, some 200,000 Americans may vote only in Presidential elections. "No major capital in the world is in a comparable condition of disenfranchisement," President Johnson said in his

home-rule message. But most Americans thinking of their capital see its cherry-blossom splendor and monumental grandeur; they seldom include the rest of the city's seventy square miles where people live.

Of Washington's 802,000 inhabitants, 62.5 per cent are Negroes. The public-school population is ninety per cent Negro. In the last fourteen years, more than 215,000 white residents have left Washington, 86,400 of them during the three years following the desegregation of public schools in 1954.

That Washington would be the first large American city led by a Negro mayor and largely dominated by elected Negroes was and is a fundamental reality in the minds of Congressmen from North and South. Racial prejudice has undoubtedly been a factor in the thinking of the House District Committee, although its public attitude has been expressed in this typical colloquy between two of its members:

John L. McMillan (D., South Carolina), committee chairman: "I would like to ask the gentleman from Virginia [Joel T. Broyhill, Republican], since he has been a very good member of the Committee on the District of Columbia for the past eight years, whether at any of the committee meetings he has heard civil-rights or race questions discussed by that committee?"

Broyhill replied: "The question of race and civil rights has never been discussed at any deliberation or meeting of the Committee on the District of Columbia. There are enough other problems involved which confront the District of Columbia without getting into the question of race and civil rights."

INDEED, many a House member would probably oppose home rule if the capital were peopled exclusively by Kiwanians. Many Congressmen were responding to a familiar anti-urban strain in American life. With anti-Negro emotion added, this sentiment can be powerful, however clumsily racial prejudice is concealed. One opposition witness, John R. Immer, president of the District's Federation of Citizens Associations, told the House committee, "We have one of the cleanest and most honest governments of any major city in the United States" (true, if he chooses to ignore widespread ticket fixing, Bobby Baker, and other peccadilloes involving Washington's 535-man city council, the Congress). Immer maintained that the administration bill "would replace this by a local political machine, managed by a clique which would be self-perpetuating. . . . there would be no control and no limit to the spending for welfare programs, free health programs, free food programs . . . and other programs designed to attract people here by lurid tales of the welfare largess which is awaiting them. . . . The District of Columbia is not ready for home rule. We do not have responsible political elements ready to take hold."

Immer spoke on behalf of some twenty thousand Washingtonians,

one thousand of them Negro. Constituent organizations from his group also testified against home rule, using similar anti-political arguments. The neighborhoods represented include the District's most predominantly white areas: American University Park, Cathedral Heights, Chevy Chase, Cleveland Park, and Kalorama.

The major organized opposition to home rule came from the Metropolitan Washington Board of Trade, a group of bankers and businessmen. According to its promotional literature, the board was organized in 1889 "in the hope that . . . through concerted action by a representative body, we might exert a wide influence with Congress, and thus accomplish greater and more satisfactory results." This the board has done, notably in regard to home rule, which it has opposed for half a century. Its wide influence, according to Richard Lyon of the Washington Home Rule Committee, grows each year that Congress continues the city's votelessness: "The absence of self-government has created a political vacuum now happily occupied by the Board of Trade."

'Free D.C.'

While Lyon, Rauh, and the older "white liberal" elements of the home-rule cause have merely denounced the Board of Trade, a new group, the Free D. C. Movement, has set out to cripple it. Led by Marion Barry, Jr., Washington director of SNCC, in alliance with clergymen from the D. C. Coalition of Conscience, the movement has converted home rule into a civil-rights issue, singled out the Board of Trade as "the biggest obstacle," and employed the earliest weapon of the civil-rights struggle, the economic boycott.

After a partial but successful boycott of the city's bus system in January to protest a fare increase, Barry moved against "the money-lord merchants," asking some merchants to contribute money to the home-rule drive or face boycott. Cries of blackmail came from the merchants and even from many home-rule supporters. Barry backed off from the money solicitations and asked, "Why is it that people expect us in civil rights to do everything right all the time?" Dropping its requests for funds, the movement shifted to Negro areas, demanding the placing of "Free D.C." stickers in store windows as an alternative to picketing and boycott. This approach met with some success, especially among Negro merchants.

Barry, a thirty-year-old former chemistry teacher from Itta Bena, Mississippi, has described past efforts for home rule as "frustration and a long history of nothing." His aim is "to educate, mobilize, galvanize, and catalyze this community around

the right to vote." In trying to transform the history and reputation of docility among the city's 502,000 Negroes, Barry has eclipsed the efforts of the "white liberal" leadership of home rule and has also begun to fill a vacuum of political leadership among Negroes. Organizations like the Urban League and the NAACP have worked toward wider opportunities in jobs, housing, schools, and police relations rather than stressing political activity.

Barry's main support has come from leading clergymen, who share his sentiment on mobilizing the city's poor Negroes. After the boycott campaign began with fund solicitations in February, Rauh called one of the clergymen, asking him to intervene before the boycott's effects damaged home rule in Congress. "Joe, even if home rule is set back a few years," the clergyman replied, "it will be worth the price if we can wake up the poor Negroes of this city." It is taken for granted by home-rule leaders of all persuasions that the longer self-government is denied, the greater the chances are for militant, strident forces in the city's first election. The 1964 Democratic primary and Presidential elections were dominated by the city's large and long-established Negro middle class. But this group's influence and numbers will probably decline without self-government, and SNCC and other militant elements will fill the leadership vacuum among Negroes.

THE FREE D.C. Movement, meanwhile, alienated supporters and wavered on home rule even after it had abandoned its request for money. Lyon and Rauh have also disavowed the boycott and the most powerful Congressional friend of district self-government, Senator Alan Bible, the Nevada Democrat who heads the Senate District Committee, called the boycott "ill-advised, ill-considered and ill-conceived."

Barry persisted and in April brought the pickets downtown, where the movement achieved one of its first victories and then was subjected to its most virulent criticism. The first downtown target was scheduled to be the Hecht Company, one of Washington's larger department stores, whose manager, Harry N. Hirshberg, Jr., is a director of the Board of Trade. Hirshberg and several other retailers had claimed that a policy of "corporate neutrality" prevented involvement in political issues (although corporation executives have been involved through the Board of Trade). A day before picketing of Hecht's was to begin, Hirshberg met with Barry, then issued a letter saying, "I personally favor the principle of home rule," and adding that he had asked the Board of Trade "to reassess and reexamine the validity of its current published position on the subject of home rule and local self-government." After the letter, the movement did not picket Hecht's and moved to Kann's, a smaller store.

The Vacuum

The reaction from the Board of Trade's president came promptly. F. Elwood Davis, a lawyer, accused the movement of "immoral, un-American, and unjust" tactics and called the boycott a "blackjack approach." "It's un-American when you try to force a merchant to agree with your political thinking and if he doesn't, you picket or boycott him," Davis said. Washington's two afternoon newspapers followed, calling the movement's tactics "just

plain wrong" and "irresponsible."

Emotionalism apparently had shifted from the civil-rights cause to the other side. Episcopal Suffragan Bishop Paul Moore of the Coalition of Conscience replied that the Board of Trade's charges "are not worthy of comment in kind." Barry called the Davis statement "ranting and raving." The movement next decided to call attention to its cause by picketing the annual Cherry Blossom Festival, which attracts thousands of tourists. Barry specified no mass demonstrations, just a few "educational pickets."

The political impasse over home rule has undoubtedly been affected by the boycott, but whether favorably or not cannot be forecast. Congressmen are notably prone to get their backs up in the face of alleged intimidation. This was the argument used against the 1963 civil-rights march on Washington and other Negro demonstrations throughout the past decade. Many Congressmen today cite this argument to home-rule missionaries from the League of Women Voters, Americans for Democratic Action, and the Washington Home Rule Committee.

Despite his successful challenge of the department stores, Barry has been swept by the side effects of the "black power" controversy into a stand of opposing all relations with the "power structure." He boycotted a massive rally on the grounds of the Washington Monument in mid-July. The rally, sponsored by a variety of political and religious groups—including the D.C. Coalition of Conscience—attracted some four thousand Washingtonians on a hot Sunday afternoon. But Barry, who watched the proceedings from the rear ranks, said: "They should have had twenty times as many people here today. They've got the whole power structure of the city up there." A representative of the Urban League told the rally: "It's important that we don't begin fighting among ourselves, seeking the headlines, taking the credit. There's a place in this struggle for all of us."

Present hopes for home rule lie with a rider to a House-passed higher-education bill. The home-rule rider, attached by Senator Wayne Morse, a member of the Senate District Committee, would presumably be accepted by the Senate, where home rule passed last year, 63 to 29. Unlike last year's bill, Morse's rider calls for nonpartisan elections and a Federal payment in lieu of taxes based on a percentage of District-collected revenue rather than an automatic payment formula. Since attempts will undoubtedly be made to table the Morse rider, it will provide the up-or-down vote on the issue this year and is now the focus of lobbying by home-rule advocates.

The political vacuum remains. No speeches are made on the House floor and Senator Bible's Senate committee finds it difficult to gather a quorum. Bible's four Democratic colleagues have worked for home rule in the past but except for Morse now find themselves otherwise occupied. Robert Kennedy is busy being Robert Kennedy; Thomas McIntyre is busy being a Democrat running for re-election in New Hampshire; and Joseph Tydings has devoted time to issues of more direct concern to his Maryland constituents, such as parking problems in the District.

President Johnson, who mentioned home rule briefly in his State of the Union message, has the sympathy of one leading home-rule advocate, who says, "If I had to worry about Vietnam and inflation, I wouldn't be thinking too much of home rule, either."

Meanwhile, by-products of the political vacuum pile up. A Presidential committee on freeways could not agree on whether downtown expressways should be allowed to chop up L'Enfant's original city plan. A city planning commission report shows that nearly a fourth of the city's population lives in "abject poverty—the lowest form of deprivation."

Would these problems disappear with self-government? A political scientist's analysis would at least disclose that these conditions are aggravated by a widespread feeling of political "alienation." A working politician's analysis would be similar but blunter. President Johnson said of Watts last August 26: "The scars of years of inaction reflected themselves. And when people feel that they don't get a fair shake, when they feel that justice is not open to them, you always see these things occur. They occur in different sections at different times. Those of you here in the District of Columbia, I want to warn you this morning that the clock is ticking, time is moving."

NEGRO POLITICS, OLD STYLE AND NEW:

I. William Dawson Calls the Tune

RICHARD COTTON

CHICAGO

THIS NOVEMBER the Negro voters of Illinois' First Congressional District will reaffirm the old order of Chicago politics, sending eighty-year-old Negro Congressman William L. Dawson back to Washington for his thirteenth consecutive term in the House of Representatives. But the forces of change are at work on Chicago's South Side. Dawson had to beat off a strong primary challenge this June from Fred Hubbard, a Negro social worker forty-three years his junior, and he won only on the strength of large pluralities run up in the poor areas of his district.

Ethnic groups in America have traditionally achieved political independence as they have risen economically. The Negro has been no exception: the middle-class Negro has been achieving much the same political sophistication that the middle-class Irish, Polish, and Italians did before him. But isolated in slums, the Negro still remains in many big cities the most dependable bulwark of the Democratic machine.

The June Democratic primary election demonstrated that the Chi-

cago machine can still count on large majorities in lower-class Negro areas, despite the impact of the civil-rights movement. As rights leaders have turned their attention to politics, moderate Republicans and anti-machine Democrats in Chicago have talked of a new independence on the part of the poor Negro voter. When Martin Luther King and his aides arrived in Chicago last fall, hopes that Negro voters would desert the machine increased. Dawson's June victory, however, has largely crushed them.

ONE OUT OF every three Negroes in the state of Illinois lives in the First District. More than ninety per cent Negro, it carefully follows the boundaries of Chicago's South Side Negro area. The First provides almost ideal comparisons of poor and middle-class voters because it is split sharply into two different communities. The depressingly poor northern half of the district combines tenements and high-rise public housing projects; but to the south, the First becomes strikingly middle-class, with neat wire-mesh fences enclosing well-kept one- and two-family homes.

For twenty-four years, the First has been the political fiefdom of William Dawson. The shape of the district itself has changed, moving south as the Negro community expanded. But its organization—often called the most effective in the country—has remained the same: a captain and two assistants for every one of its 446 precincts, and whenever possible, a worker for every block or large building. Each of the seven ward offices assumes responsibility for its precinct captains, and Dawson's Second Ward office sends out campaign materials and instructions to the other six.

Dawson's organization is a semi-autonomous cog in the machine of Chicago's Democratic Mayor Richard J. Daley, and Dawson is vice-chairman of the Cook County Democratic Central Committee. Second only to Chairman Daley, Dawson's importance to the mayor can hardly be overestimated. In 1963, Daley defeated his Republican opponent, Benjamin Adamowski, by 139,000 votes; Negro wards provided about 115,000 of that margin.

Unlike Daley, who has remolded much of his machine in deference to Republican businessmen and middle-class voters, Dawson has not changed his organization since he was first elected to Chicago's city council in the early 1930's. In the June primary, mimeographed leaflets called local Negroes to rallies with the promise that "a dollar a minute will be given away." Between every two speeches in a dingy slum movie house, one of Chicago's Negro aldermen raffled away crisp twenty-dollar bills to the cheering crowd. During the machine's blitz-like campaign, only seven rallies were held. "You can't have meetings all the time. You have to give people time to work in their precincts," said Dawson's administrative assistant, Lawrence Woods.

A Service Organization

And Congressman Dawson's men do work. This June the machine offered $1,000 in rewards for the precinct captains who brought in the most votes: $500 for the one who brought in the highest number, $300 for second, and $200 for third. All precinct captains were told that they were expected to bring in at least three hundred votes. (And to the machine, a vote means a straight Democratic vote; it is not interested in split tickets.) Many a patronage job depends on the ability of these captains to produce.

The Dawson machine rarely worries about the accuracy of what it prints. One of Dawson's newsletters, which was heavily distributed throughout the district, carried a startling quote from the President: "I am a DAWSON man. Nothing will ever make me forget William L. Dawson is the man most responsible for my becoming President of the United States." Small cardboard tickets are printed, reading, "To the Judges of Election: I am unfamiliar with the operation of the voting machine. I want to vote for the Democratic candidates."

Jobs, however, provide the organization's most effective leverage. As Woods explained Dawson's philosophy to me: "We are a service organization; that's our strength. We have more people in that district for us because we have helped them." He had just promised a constituent a stenographer's job in the local War on Poverty office.

This spring, Dawson did run a little scared for once. He put up billboards throughout the district picturing him with President Johnson, held a massive "Dawson Day" at a Chicago amusement park, and put in several appearances at the ward rallies in his honor. For Dawson, who usually doesn't so much as make a public appearance, it was a hard campaign.

The opponent who managed to throw a little fear into "The Man," as Dawson is known on the South Side, was Fred Hubbard, a tall, good-looking Negro who grew up in the slums of the First. Before deciding to run for Congress, Hubbard worked for eight years with teen-aged gang members as a YMCA social worker, accumulating a card file of contacts and friends. During the primary, he attempted to build an organization of his own, recruiting volunteer workers for nearly every precinct in the district. Although he had little money, he opened three offices and campaigned in a style unknown to the South Side. He attended parlor meetings, renewed acquaintances in the housing projects, and shook hands with people on the street.

Hubbard based much of his chance for success on the effects of the civil-rights movement. His hopes were bolstered when Martin Luther King announced in mid-May a week-long drive to register Negro voters. But Chicago was in the midst of the coldest spring in a decade, and during King's registration drive, temperatures plunged into the forties. A cold, freezing rain whipped the city intermittently for the entire week. Only small crowds turned out for the registration rallies, which had been hastily moved indoors, and the campaign went virtually unnoticed in the Chicago newspapers.

Nevertheless, political observers

viewed Hubbard's challenge to the machine as the strongest it had ever faced. On a sunny June 14, Dawson's precinct captains brought in their standard forty-one thousand votes. Hubbard could muster only twenty-four thousand. But while he was trounced in the poor areas where he thought he knew the people, he carried the district's three middle-class wards.

After the election, Hubbard admitted that his friendships did him little good. "I discovered that it is very difficult for a poor, semi-literate Negro, unfamiliar with a voting machine, to vote successfully against the organization. The party machine owns the polls. Many people who wanted to vote for me were not able to do so, and many people just did not vote. The turnout was terrifically low." Whatever the reason, the machine maintained a stranglehold on the poor voter.

THE WARD-BY-WARD vote documents the story. In the Eighth Ward, where the median family income is about $7,200 a year, Hubbard defeated Dawson handily, winning 4,864 votes to Dawson's 3,327. But in the Third Ward, which includes some of the worst slums and biggest housing projects in Chicago (one-third of the families have an income totaling less than $3,000 a year), Dawson ran up 11,626 votes to Hubbard's 2,725.

The rejection of Dawson by the middle class was clear enough. Lest there be any mistake, a maverick Negro alderman, Charles Chew, won the Democratic nomination for state senator from the Twenty-Ninth District (a solidly middle-class Negro

area) over a hand-picked machine candidate, also a Negro, Russell DeBow. DeBow had been Mayor Daley's administrative assistant, and his defeat was as much a defeat for Daley as for Dawson. Chew's bitterly fought victory ensures that a number of anti-machine candidates in middle-class areas will challenge organization aldermen in next spring's municipal election.

The middle class represents, however, only thirty per cent of Chicago's Negro population, and Dawson's victory demonstrates that the party machine is still solidly in control of the votes of the less fortunate seventy per cent. If Chicago is a fair example, the impact of the civil-rights revolution on politics will not really be felt until the Negro's economic position is improved.

II. Boycott and Ballot

HENRY HURT

JACKSON, MISSISSIPPI

THE DEBATE over black power, the alarming cry that has swept the country this summer, has so far stirred less publicity and anxiety in Mississippi than in the North. In fact, Mississippi's Negro leadership has been generally immune to the appeals of the extremists. Since Negroes make up forty-two per cent of the state's population, their potential strength is very real indeed. In terms of political and economic pressure, no one has used that potential with more success than has Charles Evers, the Mississippi field secretary of the National Association for the Advancement of Colored People.

Evers feels that what radical civil-rights leaders like Stokely Carmichael of the Student Non-Violent Coordinating Committee are really advocating is black supremacy, and he is one of Mississippi's firmest opponents of the idea. At the Jackson rally that ended the recent James Meredith march, the extremists prevented him from speaking, presumably because of his views on the matter. "I was here long before they came," Evers commented, "and I'll be here a long time after they're gone." He is probably right. In less than one year, he has assumed political control over three Mississippi counties, and his influence is steadily increasing. As Kenneth L. Dean, the white director of the Mississippi Council on Human Relations, remarked, "Evers has already done what Carmichael is talking about."

Jeffersonian Democracy

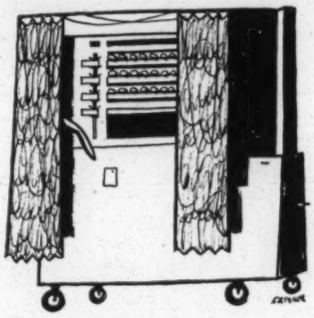
In the counties of Jefferson, Claiborne, and Wilkinson, all of which lie along the Mississippi River in the southern part of the state, Negroes outnumber whites by about three to one. Until a year ago, there was no NAACP branch in the area and virtually no Negro organization of any kind.

Jefferson County provides the best example of what Evers has done. For the most part, Jefferson Negroes were employed only as laborers and domestics, and less than a hundred were registered voters. All police officers were white, all store clerks were white, all officials were white, service stations had third toilets for Negroes of both sexes, and there was little communication between the Negro and white leaders.

Last October, Evers, who had been working out of Jackson, formed a NAACP branch in Fayette, the Jefferson county seat, which promptly took in members by the hundreds. Just before Christmas, he announced that a complete economic boycott would be waged against the white merchants in Jefferson County, and that not a black cent would be spent in any white-owned store until a list of Negro demands was met. (Such tactics have proved highly profitable for Negro store owners, and Evers, always a good businessman himself, has done very nicely with a food store he purchased during a previous series of boycotts.) By June of this year the boycott had been lifted from nearly all the establishments. Of sixteen stores, eleven had hired Negro salesclerks. Three stores were so small that Evers agreed they couldn't afford any additional help, and two stores are still being boycotted. Eight of the nine service stations in the area had closed the third toilet and made previously segregated facilities available to Ne-

groes. The Jefferson County Hospital was desegregated. In Fayette, a Negro had been hired to serve as one of the town's two policemen, and the sheriff had hired a Negro deputy to share duties with a white man.

Evers says this is not merely "token desegregation." He claims



that there is now a spirit of "cooperation and friendliness" between whites and blacks, and that white officials are willing to talk to Negro leaders at any time. More than economic pressures were at work. During the boycott of white merchants, Evers and his helpers were spending their days and nights canvassing the county in an effort to persuade reluctant Negroes to register to vote. Their efforts were outstandingly successful: Negro registration has rocketed to about 3,500, and they now outnumber whites on the voting lists by the same ratio as they do in population figures.

CHARLES EVERS, it is generally agreed in Fayette, has absolute control of the Negro vote in Jefferson County and is now in a position to secure every elective office in the county for the men of his choice.

A massively built man with a spontaneous laugh, Evers seems to enjoy his power. Sitting in his well-furnished Fayette office and wearing a red polo shirt, he reached for a telephone and said, "Here, I'll show you how we get along with the whites around here." He dialed the mayor's home with no success. Then he called R. K. Pritchard, the chief deputy sheriff. (Pritchard has served a term as county sheriff, and since the law forbids two successive terms, his wife is now installed in the senior post in a sort of Lurleen Wallace gambit.)

The conversation is friendly and Evers says, "Sheriff, I see old Cohn still has that rebel flag hanging on the front of his store. I told you to tell him to take that thing down." Evers's end of the conversation indicates that Pritchard had approached the white store owner on the matter. Then Evers laughs and says, "You say it's a Mississippi state flag? Well, it looks pretty rebelish to me. You tell Cohn we want that flag down, and then we gonna get along fine."

As the conversation ends, Evers says, "Sheriff, you see how easy it is after all the hell we went through? We gonna make this the best county in the country, ain't we?" Pritchard apparently agrees, and after Evers hangs up he reports that Pritchard will try once more to persuade the storekeeper to take down the Mississippi flag.

In an interview later, Pritchard said that he and Evers "get along fine." In explaining race relations in Jefferson County, Pritchard said, "We been living here together all our lives, and there's no reason why we won't keep on."

Pritchard, who will again be eligible after his wife's term, plans to run for sheriff again in the next election. He thinks he will win without any trouble. He expects to have Evers's support, and Evers is planning now to give it—providing Pritchard agrees to appoint a Negro chief deputy.

Evers, who has established his residence in Jefferson County, insists that he has no intention of running for office himself. Nor has he any plans for an all-black slate of officers in the next election. He wants a suitable white sheriff, presumably Pritchard, who will train a Negro chief deputy for four years. He is happy with the present white mayor, but wants a Negro police chief; and he wants two Negroes on the board of aldermen and two Negroes on the board of supervisors.

A Road That All May Travel

Describing his ultimate aims in Jefferson County, Evers told me: "We're going to get rid of all the racists and bigots. They're going —there's no question about that. But we're against any sort of exclusion. We want to make this an example of how Negroes and whites can live and work together as men and women." Some of the initial steps he advocates are the establishment of as many Federal poverty programs as possible and a serious start toward real desegregation of the public schools.

Evers is not confining his efforts to Jefferson. The adjoining counties of Claiborne and Wilkinson also have about three times more Negroes than whites and in each a substantially greater number of Negro voters than whites are now registered as a direct result of Evers's efforts. In Claiborne a boycott is already in effect and one is planned for Wilkinson. Concessions similar to those won in Jefferson have been made in nearby Adams County—which includes Natchez, one of the chief focal points in the state of recent racial strife—even though slightly more whites than Negroes are registered there.

Evers is almost contemptuous of groups that favor all-black anything. The Black Panther Party, the Alabama political group organized by

SNCC, draws his sharpest reaction. "We don't allow them in here. There will be no Black Panther Party in this county. Even their name 'Panther' means something that destroys." He also has little patience with the Mississippi Freedom Democratic Party, an almost entirely Negro group that claims to be the

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"real" Democratic Party in the state. Even though he swung his weight behind the FDP candidates during the June Democratic primary and provided them with the only two counties that gave them a majority, this was not intended as a sign of approval; Evers simply felt that the FDP offered candidates more acceptable to the Negro voters than the regular Democrats. (In the June Democratic primary the FDP front runner for the Senate received less than fifteen per cent of the vote on a statewide basis.)

"The FDP is not coming into these counties and holding meetings on their own," Evers claims. "We're on the right road, and I'm not going to let them in here. We're not going off on some wild-goose chase trying to create some third party." He says he has no objections to the Young Democrats organizing chapters in the area, however. This biracial group has been granted an official charter by the Young Democratic Clubs of America, and Evers maintains that, unlike the Black Panthers or the FDP, they represent a legitimate political organization.

His stand is in direct opposition to that of Lawrence Guyot, the FDP chairman, who feels that Negroes who are willing to participate in the regular Democratic Party or the Young Democratic Clubs can be managed by whites.

THE NAACP clearly agrees with Evers's viewpoint. Aaron Henry, the Clarksdale druggist who has been state president of the NAACP during most of the racial strife in Mississippi, told me: "I get the idea black power is reverse racism and that it suggests that the Negro community should now begin to treat the white community as the white community has treated the Negro community all these years. I believe the black power syndrome will become as extinct as the hula hoop craze."

As Evers points out about the nation as a whole, "Never will ten per cent of the population be able to outdo ninety per cent." He believes that "That dollar and that ballot are the greatest weapons we got." The work he has done in the southwestern counties along the river seems to bear him out.

The Availability of Richard Nixon

JULES WITCOVER

IN BIRMINGHAM'S spacious Municipal Auditorium, a sweeping spotlight played on Richard M. Nixon as he strode down the center aisle among twelve hundred cheering partisans at the largest fund-raising dinner in the short history of Alabama Republicanism. John Grenier, the party's 1966 candidate for U.S. Senator and a leading Southern organizer for Barry Goldwater in 1964, took the microphone and recalled that "Birmingham gave its heart and sixty per cent of its votes" to Nixon in 1960. If fate chooses him "to lead this great country from the swampland of socialism to the bright sunshine of liberty" in 1968, Grenier proclaimed, "the electoral vote of Alabama will be cast for Dick Nixon." The crowd, at fifty dollars a plate, roared its approval.

One night earlier in Tulsa, at a cocktail party for oilmen contributing to the Republican Party, Mayor James M. Hewgley, Jr., had climbed on a patio chair and presented Nixon with a key to the city and a promise that Tulsa, which gave him sixty-three per cent of its vote in 1960, would make it "seventy per cent next time." And shortly afterward, before 850 festive Republicans at the ultramodern Tulsa Assembly Center, Tulsa County G.O.P. Chairman Bert McElroy had assured the former Vice President that "Tulsa has been, is, and will be again a Nixon city." This crowd, at only twenty-five dollars a plate, was equally enthusiastic.

On all three occasions, and many others like them during his most recent eleven-day cross-country political swing, non-candidate Nixon expressed gratitude for the sentiments but urged the faithful to "forget about 1968 for now and concentrate on 1966." The question of his own chances in 1968, raised invariably at press conferences along the way, received a stock answer: "I respectfully decline to comment, because there is nothing that divides a party like contesting for the Presidency. At a time when the Democrats with their huge numbers are divided, it's time for the Republicans to be unified. I will not discuss 1968. Others may if they wish."

Others, of course, do wish to speculate.

Nixon has spoken in thirty states in the past year; shortly after Labor Day, he plans to carry his missionary work for party unity to fifty marginal Congressional districts now held by Democrats. If, as he predicts, Republicans win forty of these closely contested races, the G.O.P. will be well along the road toward rehabilitation as a contending national party in 1968. And as a man who helped make it happen, Nixon certainly wouldn't be hurt by such an outcome.

DESPITE NIXON'S adherence to the traditional off-year posture of non-candidacy, his strategy for a second run at the Presidency already is visible and well advanced. Nixon's formula for the 1960 campaign—a tireless display of calculated selflessness—is his formula again in 1966. Then, he put the party, its candidates, and its local organizations in his political debt by working un-

EV— Coalition

RICHMOND BRANCH NAACP VOTER
REGISTRATION SPECIAL PROJECT
420 North First Street
Richmond, Virginia 23219

August 19, 1966

Mr. Thaddeus Olive
Administrative Aide
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Olive:

Enclosed please find our report covering the period from June 27, 1966 to August 19, 1966. May I thank you for your cooperation in providing our branch with financial assistance in our recent Voter Registration Drive and Get-Out-The-Vote Campaign. We are reasonably sure that if it had not been for your organization's help, we would have been unable to secure the success that was accomplished.

Since our primary in July, our office found it necessary to purge our qualified voter registration list. In our last mailing used to inform the voters to get out and vote, several hundred pieces of mail was returned to us. This was caused by persons who have moved due to road building and urban renewal programs. Most of the people involved have not bothered to change their addresses at the registrar's office but returned to vote at their old precincts. The expense incurred was to employ our secretary for a half day to do this job. Further, may I inform you that we have been successful in getting one of the labor unions to agree to use their IBM machines to assist us in mailing. This job was being done by volunteers, which was quite a job for getting out more than 30,000 pieces of mail. Here, again, we found it necessary to purge the list. I am sure you will agree this assistance will take a lot of headaches away.

We are preparing to launch a vigorous six to seven week voter registration drive to secure at least 5,000 new voters. Then a Get-Out-The-Vote Campaign for our November election.

Since the successful primary, hostile forces under the name of the Conservative Party of Virginia, are working night and day, spending large sums of money in an attempt to defeat

the liberal candidates in November with their candidates. This group is made up of John Birches, Klu Klux Klansmen, Minute Men, White Citizens Council and others.

Again, may I thank you for your cooperation.

Very truly yours,

E. L. Slade, Jr.,
President
Richmond Branch NAACP

Enclosure

ELS/wr

Second class postage paid at Washington, D. C.

Coalition

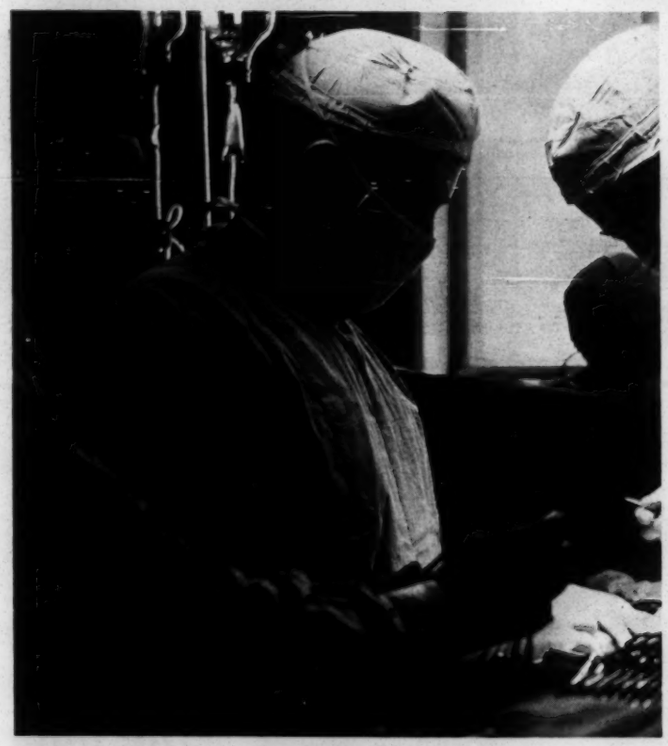
MEMO from COPE

NO. 17-66 AUGUST 22, 1966

COMMITTEE ON POLITICAL EDUCATION, AFL-CIO
815 16TH STREET, N.W., WASHINGTON, D. C. 20006

GEORGE MEANY, Chairman WM. F. SCHNITZLER, Secretary-Treasurer ALEXANDER E. BARKAN, National Director

'66 Election: What It's All About



It's about health care...

And our strangled cities...

Declan Haun—Black Star

And education...

OVER →

WASHINGTON, D. C., AUGUST 27, 1966

EV - Coalition

Open Housing Stressed:

Executive Council Pledges Fight on Rights' Filibuster

Chicago—The AFL-CIO will do "everything in our power" to help break a Senate filibuster of the House-passed civil rights bill and called on all Americans "who believe in the principle of open housing" to join in the fight.

The Federation's Executive Council pledged its position in a statement analyzing the House civil rights act of 1966 and warning that it could not become law unless the filibuster is cracked.

Emphasizing the section on fair housing as "probably the single most important section" of the measure, the council declared that the compromise on open-occupancy provisions reached in the House "contains less than we wanted and less than justice demands, but by establishing the principle of fair housing it makes a significant start."

Noting that the provisions of the bill meet the "major objectives" of the recent AFL-CIO convention resolution on civil rights, the council declared that the housing section guarantees the basic principle of fair housing, that it applies to an estimated 40 percent of the nation's homes as well as to all new housing developments and high-rise apartments, and that it was the "strongest possible" section "that could have been passed in the House."

The AFL-CIO "supported without apologies" the compromise, the council said, because without it "there would have been no open-housing section at all."

The House-passed bill also contained provisions assuring non-discrimination in the selection of federal and state juries, broadening federal laws against acts of

Coalition

Test for Schoolmen: action on INTEGRATION

by Harold Howe II

The invitation to this conference outlined two topics for discussion: first, the prospects of obtaining public support for integrated, quality education; second, the feasibility of integrated, quality education.

That agenda has a fine ring to it. The word "feasibility" has five syllables, thus assuring everyone that this will be an intellectual affair, carried out on a high plane by gentlemen wearing shirts, ties, suitcoats and perhaps Phi Beta Kappa keys. I was pleased to receive an invitation to join your company and sat down soon after receiving it to compose some gentlemanly, five-syllable thoughts.

And then James Meredith was shot down on a road in Mississippi. Paradoxically, I heard of this event just a few minutes after I left a meeting with Secretary John Gardner, Roy Wilkins of the NAACP and a number of civil rights leaders accompanying Mr. Wilkins. We were discussing our progress in school and hospital desegregation. And I started to wonder whether civil rights was any place for a gentlemanly discussion. I am beginning to suspect that it is not; in any case I have the feeling that those of us who think of ourselves as gentlemen should either stop pretending that we care about racial equality or we should step down from our air-conditioned podiums and start something definite in the way of a program. Considering the authority that we gentlemanly education officials have at our command to correct racial injustice in our schools, I feel that we have accomplished very little so far.

We have, to be sure, gotten a fair amount of newspaper space and published enough committee reports on the inequalities of segregated education to build a paper Tower of Babel. Nothing is safer these days than denouncing bigotry. But I find myself puzzling over which is worse, honest bigotry or well-intentioned timidity.

While we have gone on urging moderation, sweet reason and bigger and better panel discussions, the schools throughout the nation remain almost as segregated today as they were in 1954, when the Supreme Court decided that racially segregated education was illegal. The small progress that the South has made toward desegregation has been offset by increasing de facto segregation in the cities of the North. Since 1954, an entire sub-generation of Negro and white youngsters who started first grade in that year has now graduated from high school . . . most without any classroom experience with the other race. The facts today are that a Negro youngster in an American elementary school has on the national average not much more than 15 percent of his classmates from the majority white groups; in the southern states the figure is nearer to 5 percent; white high school students can expect to have nine out of ten of their classmates from their own white group. The picture does not inspire calm satisfaction.

Our words have urged the nation to desegregate its schools. But our reluctance to act has said even louder, "not yet." Somehow we seem to have been lulled into a blind faith in gradualism, a mindless confidence that some morning, some year, a suddenly transformed electorate will spontaneously and joyously decide that this is the day to integrate America.

Well, it is not going to happen. For a variety of reasons—one or two of them arguable, the rest pure rationalization—the majority of American whites display no likelihood of becoming enthusiastic about school desegregation and the changes it demands in the immedate future. The law of this land nevertheless beckons every one of us, calling on us to recognize that desegregating the schools is our legal responsibility, that it will not be easy work, and that it is futile to expect the years to erode those passions that today make the processes of desegregation unpopular.

HAROLD HOWE II is U.S. Commissioner of Education, Department of Health, Education, and Welfare. He delivered this address June 18 before the School Administrators' Conference sponsored by the National Urban League and Columbia University's Teachers College.

AFL-CIO Education

PAGINATION INCORRECT

EDUCATION *News and Views*

Gradualism—no matter what we call it—has failed and I think it is fair to say that those who continue to espouse it are fooling themselves and, in many ways, failing our nation.

It seems to me time for school officials to form a third front for racial equality in the United States.

At one end of the civil rights movement today we have the gradualists, both white and Negro, a polite and sometimes sluggish team, deeply respectful of the public and sometimes given to assuring each other that it is possible to make an omelette without breaking eggs. At the other end are the activists, both the non-violent demonstrators and those weary and desperate Americans who have come to feel that violence is the only way to get anything done.

The failure of the gradualists would seem at bottom to be fear . . . fear of rocking a boat which, no matter how leaky, appears at least to be floating somewhere. The failure of the activists is that while they know in general terms what they want to achieve and are willing to pay a heavy price to obtain it, they have neither the position in society nor the professional's knowledge of the means and importance of advancing racial equality within the framework of law.

School officials have both position and knowledge. Those of us professionally engaged in education are charged with setting educational policy within our respective jurisdictions and we are familiar with a variety of methods that can be used to advance school desegregation. What we have often lacked is a productive commitment.

I say *productive* because for all our recognition of the importance of school desegregation to our society, the fact remains that we have not achieved much of it. I say *commitment* because achieving desegregation does not require fury or breastbeating. It does require something much more important: the recognition that school desegregation must be accomplished and the determination to do it.

Our task obviously requires an activity more sophisticated than the gritting of our corporate teeth. School officials occupy a curious position somewhere between that of the educational leader and the political leader. But it is apparent that for many administrators, a necessary sensitivity to public opinion has tended so to dilute their sense of responsibility for educational leadership that they have exercised it only after the public parade has already decided what way it wants to go.

This may sound to many educators as an unfair and overdrawn indictment. The record clearly shows that school officials today are making remarkable strides toward improving American education. They are coming up with new ideas and accepting the risk inherent in all experimentation.

But to win public support for such advances as team teaching, modern curriculum, language laboratories, ungraded classrooms, closed-circuit television and computerized instruction is not enough. We must at the same time desegregate the schools. To do otherwise is to accept the shadow of educational leadership in place of its substance. School desegregation is the single point on which we who call ourselves educational leaders prove that we really are so . . . or demonstrate that we are merely trying to keep things quiet until we receive our gold watches for a lifetime devoted to the status quo.

The fact is that no matter how hard we try, we will not be able to keep things quiet. A revolution is brewing under our feet and it is largely up to the schools to determine whether the energies of that revolution can be converted into a new and vigorous source of American progress, or whether the explosion will rip this nation into two societies. We simply cannot wait until dramatic action becomes safe, for at this point it is much less dangerous to make a mistake than to do nothing.

Feeding that revolution is a major shift in American folkways. Today, approximately two of every three adult Negroes living in the North was born and raised in the South. This move has necessarily had a major impact—often a bewildering impact—on the individual. In some ways, the life he left in the South was less segregated than it is in the North. The Negro child born in the South was, to be sure, raised on the notion that he would always occupy a subservient position . . . but it was nevertheless a subservient position within a white society.

The young northern Negro of today's city lives in a black society. He has few points of contact with whites and those few—when you reflect on them—are revealing. He is likely to encounter a white teacher, a white policeman and a white merchant. He can pass his entire adolescence without having to deal with the white world outside the ghetto and his ideas of that world are based on three types: the teacher, often a symbol of boredom and irrelevance; the policeman, a symbol of authority, if not of repression; and the merchant, often a symbol of white cunning.

And so the young Negro setting forth from the ghetto to confront this white world expects it is going to misunderstand him and oppress him and too often he finds evidence to justify his fears. It is no wonder that, if he has any spunk and imagination, he rejects the fatalism of his father and decides that it is the part of a man to change this sorry mess he inherited. And if it takes violence to change it . . . well, that's what it takes.

It is this young Negro who must be convinced that the United States is his home, not his prison, and that it is a country worth fighting for, not a cage to be fought out of. It may already be too late to change his mind. But it is not too late to provide his younger brothers and sisters with a healthier belief . . . nor too late to protect white children from the destructive

stereotypes that most white adults inherited from their own segregated education.

What tools have we to demolish the wall which separates our youngest citizens? How can we prevent them from fearing each other before they have even met?

You are as familiar as I with some of the ideas that have been proposed to desegregate the schools: pairing plans that provide faculty and student exchanges between predominantly white and Negro schools; bussing to alter the racial compositions of schools in different parts of a community; educational parks that might have as many as 20,000 students drawn from every racial, economic and geographic sector of a city; supplementary centers for the special enrichment of education which bring together young people from different sides of the tracks for a common denominator of learning.

In addition, there are a number of federally-sponsored programs that offer significant help. Under Title IV of the Civil Rights Act of 1964, for example, the U.S. Office of Education provided financial assistance to school personnel and authorities to deal with the special problems resulting from desegregation.

Grants are given to school boards for training teachers and other school personnel and for the employment of specialists. Training institutes are supported to improve the ability of teachers, supervisors, counselors and other school personnel to handle desegregation problems.

Since the beginning of the Title IV program in January of 1965, applications have been received for funds totaling more than $35 million against available funds amounting to $12.3 million. The Office of Education has been able to support 59 grants amounting to $4.9 million. We have supported 115 institutes in the amount of $6.5 million. More than 7,500 teachers, supervisors, counselors and principals have benefited from the institute training alone.

Title III of the Elementary and Secondary Education Act of 1965 also authorizes federal aid to school districts to help them plan and carry out new ideas for school desegregation. President Johnson added a special $5 million fund for this purpose in his message on education this year.

Title I of that same Act has the overall effect of easing the harmful educational results of school segregation, because its entire $959 million is aimed at benefiting those children who have suffered most because of the poverty that usually accompanies racial inequities. These are the estimated 5½ million children from families whose annual income is less than $2,000 a year. Here, too, after-school and summer school projects are providing the opportunity to integrate staff and students in ways that aren't possible in the regular school program.

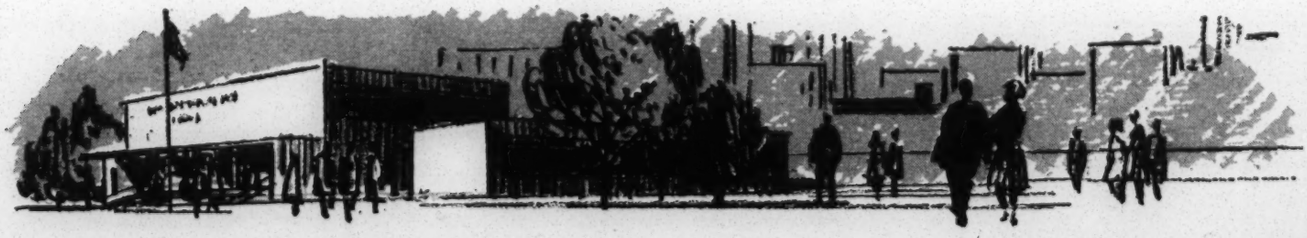
Each of these Acts, together with the 70-odd other programs administered by the U.S. Office of Education, has been given a special thrust by the Civil Rights Act of 1965. Title VI of that Act, as you know, prohibits federal aid to any program or activity that discriminates among its recipients on the basis of race, color or national origin.

Thus the Civil Rights Act makes of every federal program, whether it be for education, urban development or water pollution control, a powerful financial tool in the drive against racial inequity. The rationale behind this Act is simple: no desegregation, no federal money.

But though the rationale may be simple, its operation is both frustrating and complex. The nation sees that frustration in the Office of Education's attempts to secure compliance with our school desegregation guidelines in the South. We in the Office see this frustration in an even more acute form in our attempts to define what constitutes racial discrimination in the cities of the North and West, where segregation depends less on stated community policy than on patterns of residence.

To say this is by no means to say that the Office of Education is caving in on *de facto* segregation—on segregation northern-style. It *is* to say that the issues are complicated and subtle, that establishing a clear-cut legal basis on which to take action—and be confident of withstanding any challenge—has required far more investigation and study than we would have preferred. We are not satisfied with our pace. But that dissatisfaction adds up not to retreat but to determination to redouble our enforcement efforts where they are pertinent.

The broad position we must all assume on this matter comprises two parallel and equally important policies. One cannot work without the other. The first is to make the schools of the central city such good schools that they attract people rather than repel them. The second is to use every possible device to include within each school a cross section of the social and economic backgrounds of the metropolis. A student should meet America in his school—not a segregated segment of it. The concept of racial balance may be impractical ex-



cept as an ideal in a city with more Negroes than whites and a continuing white exodus. But keeping our eyes on that ideal can help us to do practical things now to slow the exodus and provide equal educational opportunity.

Some very practical things are now under way at the instigation of state and local officials acting on their own to make equal educational opportunity a reality . . . sometimes in the face of community opposition, but sometimes hand-in-hand with community determination to eradicate a century-old injustice.

The Denver school board, for example, has authorized double sessions at one of its high schools in order to cut class size and reduce pupil-teacher ratios to a point where teachers can use new instructional techniques to best advantage. A special pilot program of compensatory education was provided for and the administrative staff was instructed to draft plans to bus enough Negro student-volunteers to other schools to achieve better racial balance at a school that was in danger of becoming all-Negro.

Summer programs in Little Rock are fully integrated as to staff and students and are being conducted in formerly all-white schools. The Portland, Oregon, program of saturation services for inner city schools aims at producing an education program so good that it will reverse the flight of middle class whites from racially balanced schools in fringe areas.

The St. Paul school system is considering a plan to combine a rapid-transit system with a cluster of four or five 300-acre educational parks that would bring youngsters from the ghetto, from other city schools, and from parochial and suburban schools into central locations for classes ranging from nursery school through junior college. Other cities looking seriously at the possibility of similar educational parks include East Orange, N. J., Philadelphia, Pittsburgh and New York City.

In describing the St. Paul plan, School Superintendent Donald Dunnan admitted that the educational park may not be the entire answer to school desegregation. "But," he said "it is the kind of step that's needed. Everybody has been saying, 'Let's do something.' We are."

And that is the point—to do something.

But let us agree on this: that in terms of the magnitude of the task, none of these approaches—not the special arrangements made by the schools nor the programs sponsored by the federal government—is a perfect instrument for doing the job they are supposed to complete. Yet that is precisely why educators who know both the uses and the limitations of these ideas must act on them, for we must supply in courage and in action what our plans lack in ingenuity. There is no such thing as the perfect way to achieve school desegregation. There is no magic key that will unlock all the doors that private prejudice and public pressure have placed in the way of equal opportunity in education.

But the job is there to do and if any of us entered education with the idea that it would be a soft touch, this is as good a time as any to concede that we made a big mistake. There is lots of conversation about local control of the schools; if we really believe in it—and I assure you that I am in that number—we must make it work. We must guide the schools to a continuing freedom while at the same time responding appropriately to calls for national action. Local school districts must not sit on their hands and then bellow about having the reins of educational policy yanked from them.

We are in the midst of a struggle for excellent education for every American youngster and we must use every likely tool we can devise. Local school administrators must consider such means as redrawing school district boundaries and consolidating with neighboring districts for educational purposes, even though political boundaries may remain unchanged. We cannot wait for mayors and city councils to do the work they hired *us* to do. And sometimes we must do work they don't *want* us to do.

There is no point in waiting for real estate salesmen to get the message from on high and ease our job by selling homes to anyone who wants them. There is no point in our waiting for American corporations to start hiring Negro men as readily as they do light-skinned, well-dressed Negro women. Neither American home salesmen nor American personnel managers have ever insisted that they have a major responsibility for building American democracy. They have never pretended to do anything but their jobs.

American schoolmen, however, have quite properly taken a large share of the credit for establishing national unity and freedom of opportunity. Our predecessors in the classroom helped 20 million European immigrants become Americans and we haven't stopped bragging about it yet. If we are to retain that pride in our tradition, I think we must recognize that the great achievements of the past are not only a legacy, but also a heavy burden. If we want to wear the laurels, we must also carry the load.

The load we must carry is that of irritating a fair percentage of our white constituents—of embarrassing some governors and mayors, of alarming some newspaper publishers and of enraging suburban taxpayers who, in proportion to their means, are not paying as much for their good schools as paupers in the cities are paying for their bad ones.

And all this means that, finally and most grievously, we must run the risk of being invited to resign. Unless all of us are willing to put our jobs and our integrity on the line, we should admit that American educators are no longer prepared to be the prime movers in American education.

American education today is perhaps the hottest room in our national house. But we picked it out all by ourselves. To paraphrase a metaphor first wrought by President Truman, I would say that we must either adjust ourselves to the heat or let somebody else take over the kitchen.

RWDSU Record 9/4/66 Coalition

THE MIDWEST

REV. KING JOINS RWDSU CHICAGO STORE DRIVE

Chicago, Ill.—The nation's leading civil rights advocate, the Rev. Martin Luther King, has joined the Chicago Joint Board's fight for a contract for units of non-selling workers, most of whom are Negroes, at the Saks Fifth Ave. and Bonwit Teller department stores here.

The union won an NLRB bargaining election at Saks Fifth Ave. last Oct. 4, but the store has stalled on recognizing the union. The NLRB in Washington has found the store guilty of unfair labor practices and ordered it to bargain on a first contract with the Joint Board.

Dr. King, who has supported several RWDSU affiliates in campaigns, addressed a meeting of Saks workers at the Allerton Hotel Aug. 31.

"We cannot afford to allow the attitude of your employer to go unchallenged, lest we once again be denied the degree of human dignity we all richly deserve at our place of work," Dr. King told the Saks workers. "Together we can develop a course of action to obtain the rights and benefits that have long been overdue you."

Dr. King's support of the RWDSU drive gave the lie to Saks' most recent attempt to evade collective bargaining. In its appeal to the NLRB, the store claimed that if it bargained with the union for a separate, non-selling unit, it would be discriminating against the overwhelmingly Negro unit.

REV. MARTIN LUTHER KING

The irony is that although the store hired the Negro workers exclusively for non-selling jobs and consistently refused to promote Negroes into selling jobs, it went to the board and claimed to be concerned about discrimination against Negroes.

The NLRB's decision in the Saks case holds out hope the board will take similar action in the case of Bonwit Teller. The management has attempted to use its own discriminatory practices as a basis for denying the union's right to an election among an appropriate unit of the store's employees.

An election scheduled for July 20 at Bonwit's was postponed when the Joint Board filed unfair labor practice charges against the store, but the union's organizing drive is continuing.

Two leaders of District 65 in New York City, Exec. Vice-Pres. Bill Michelson and Sec.-Treas. Cleveland Robinson, have been assisting the workers' efforts to obtain contracts, along with members of the Joint Board's staff and the Industrial Union Dept. staff in Chicago. Both Michelson and Robinson, who is also president of the Negro-American Labor Council, addressed the Saks Fifth Ave. meeting. Michelson pledged the support of the workers of Gimbels and other '65' department store members.

A Look at Southern Union-Busting

RWDSU Record 9-4-66 Coalition RWDSU 9/

WHAT HAPPENED TO JUSTICE AT MURRAY BISCUIT?

By Charles Michaelson

AUGUSTA, Ga.—The RWDSU has organized 6,000 workers in the South in the last year and a half, and The Record has run the news of these victories. The theme of the stories is that the South is changing.

But every so often there's a reminder that the South isn't changing quite as fast as it often seems. Such a reminder occurred Aug. 11 at the Murray Biscuit Co., where the RWDSU lost an NLRB election 234 to 130, with 47 votes challenged and one void.

John Murray, the owner of the company, an unscrupulous and politically powerful man, spent $100,000 to deprive his employees of their right to decide for themselves if they wanted a union. The RWDSU has filed charges with the board, and the board has started investigations, but it is unlikely that the union will ever negotiate a contract for the Murray workers.

In November, organizers Dock Dickinson and Arthur Hullam moved from Atlanta to Augusta, a city of 80,000 some 150 miles east. They practically lived there until the vote, organizing. By early summer, they had signed cards from more than 300 of the 400 workers in the plant, and the union filed for an election with the NLRB.

Then Murray started. A month before the vote, the company brought two lawyers into the plant full-time to fight the union. In the two weeks before the election, Murray fired 20 union supporters. Three have been re-hired; the union has filed NLRB charges against the company on behalf of the other 17.

On election day, supervisors gave $5 bills to some workers and said, "Don't forget how you're going to vote."

To work on the Negro workers, who make up 30 percent of the plant force, Murray enlisted at least four Negro ministers. They made house visits to the Negro workers and gave out leaflets with abusive attacks on RWDSU leaders at the plant gates.

One minister was asked by a colleague why he was working for Murray.

"I took the money and I'm going to do the job they're paying me to do," he said.

After the vote, the RWDSU called the attention of the AFL-CIO's Civil Rights Dept. to the ministers' actions. As a result, the RWDSU has been told that if it reopens the Murray campaign, it will have the active support of "Operation Breadbasket," a civil rights and voter registration drive in the Negro community.

Police, Too

Murray had another, even stronger weapon than the ministers—the police. As a member of the Augusta city council and head of the city's civil service commission, he controls the police force, and shortly before the election a number of policemen, in uniform and out, would appear occasionally across the street from the plant.

"Murray can get his employees out of any kind of trouble," Int'l Rep. Guy Dickinson said, "and he can get them into trouble, too."

In the end, Murray won.

The union has filed objections to the company's actions in the campaign—which Dickinson called the worst he has seen in his ten years as a staff man—and asked the board to find that Murray destroyed the union's majority, and to order Murray to recognize the RWDSU and bargain with the union.

And, finally, it has asked the NLRB to go into Federal court for a "10-j" injunction, under which the court orders the company to stop its anti-union activities.

The board is investigating and considering the union's requests.

The outlook at Murray is uncertain at best. It will probably be weeks or months before a complaint is issued or a hearing convened; it will be more months before a preliminary finding is handed down or workers are returned to their jobs, and it will be much longer than that before the fear is gone at Murray.

The Poverty Chain

THE DIRECT LINK between the "pattern of poverty," lack of job skills, discrimination and unemployment has been firmly established in a government survey of the nation's 100 largest poverty areas.

The Labor Dept. reported, in releasing the August employment figures, that earlier in the year a study of these poverty areas showed jobless rates about twice as high as for non-poverty sections.

The study came up with hard evidence that inadequate education and training bore down heavily on both whites and Negroes with the added factor of discrimination increasing the burden on the Negroes.

The poverty centers in 100 large cities show Negroes in far greater numbers than warranted by their percentage of the population. There are 12 million Americans who live in these areas, representing a labor force of 6.5 million of whom 45 percent are Negro, although Negroes represent only about 12 percent of the population.

* * *

WHILE THE JOBLESS rates in the poverty areas are about twice as high as for non-poverty sections, the difference grows even wider for the Negro. In March 1966 the Negro unemployment rate in the poverty sections was 9.4 percent compared to 3.8 percent in non-poverty locations. The rate of unemployment for Negro boys was 31 percent and for Negro girls 46 percent.

Negroes in the poverty areas hold the unskilled or semi-skilled jobs while in other parts of the country there is need of workers with skills and training. In the poverty areas only 18 percent of Negroes had white collar jobs, 49 percent had blue collar jobs and 34 percent low-wage service jobs.

Within the poverty areas the Negroes suffered in comparison with their white neighbors. The white workers held only 14 percent of the service jobs and 35 percent of the white collar jobs.

* * *

THE ABOVE figures point up the August job statistics showing that Negroes and unskilled workers generally are not sharing in the employment gains made during the past year. In fact, over the past four months the rate of unemployment for these groups has been increasing.

One of the results is to knock out the optimistic prediction of Labor Dept. experts earlier in the year that the unemployment rate would drop to 3.5 percent by the end of 1966. The rate has

'Me and My Shadow'

In Lecture at 'Ole Miss':

Labor-Negro Alliance Sought By Mississippi Union Leader

poverty sections was 9.4 percent compared to 3.8 percent in non-poverty locations. The rate of unemployment for Negro boys was 31 percent and for Negro girls 46 percent.

Negroes in the poverty areas hold the unskilled or semi-skilled jobs while in other parts of the country there is need of workers with skills and training. In the poverty areas only 18 percent of Negroes had white collar jobs, 49 percent had blue collar jobs and 34 percent low-wage service jobs.

Within the poverty areas the Negroes suffered in comparison with their white neighbors. The white workers held only 14 percent of the service jobs and 35 percent of the white collar jobs.

* * *

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One of the results is to knock out the optimistic prediction of Labor Dept. experts earlier in the year that the unemployment rate would drop to 3.5 percent by the end of 1966. The rate has remained fairly constant at the 4 percent level for the past eight months.

The basic problem, however, is to couple programs of increased education and training with higher minimum wages and greater job opportunities—to provide those in the poverty areas with a decent minimum standard of living. That means good jobs at good wages in a growing economy.

AFL - CIO News

Official Weekly Publication of the
American Federation of Labor and Congress of Industrial Organizations

GEORGE MEANY, *President*
WILLIAM F. SCHNITZLER, *Secretary-Treasurer*

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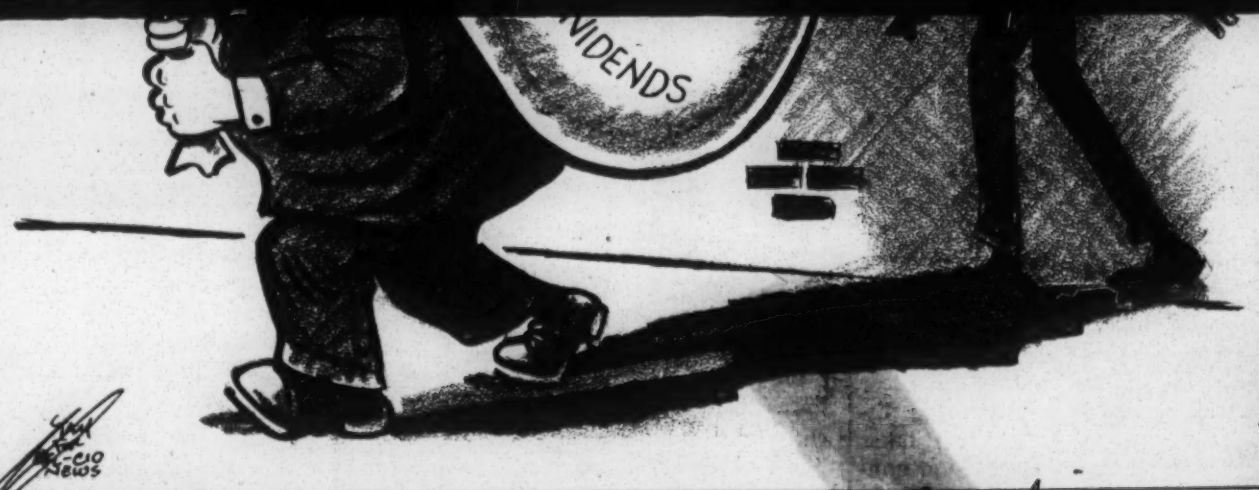

EV - Coalition

In Lecture at 'Ole Miss':

Labor-Negro Alliance Sought By Mississippi Union Leader

The following is excerpted from an address by Claude Ramsey, president of the Mississippi AFL-CIO, to an institute in history at the University of Mississippi.

IN A NEGATIVE sort of way, the Negro has dominated Mississippi politics for many years. Instead of running for or against issues affecting the economic welfare of the people, most candidates have been elected on their ability to use the race issue. The reason for this of course centers around the fact that very few Negroes were allowed to use the ballot. For years we had the most stringent voter qualification laws of any state in the nation. These laws, supposedly, were designed to keep the Negro from voting. In actuality, they kept the number of qualified voters down to a bare minimum.

Without question, the system of government in these United States is the best yet devised by man. While our two major political parties leave much to be desired, their very existence has brought stability to our government down through the years. In reviewing the political history of our state, it is necessary in my opinion to acknowledge that many of our present day problems stem from the absence of a two-party system.

This began in 1890 when James K. Vardaman first established the "Closed Society." Vardaman's ideas were actually a closed political system that excluded Negroes from the polling place and at the same time eliminated the Republican Party from the state. For 70 years Vardaman's ideas prevailed. They prevailed, in large part, because the Republican Party was Lincoln's party and any one who even thought about voting Republican was branded as a traitor to the state and to the South.

During Franklin D. Roosevelt's second term, cracks began to appear in the one-party Democratic South. When Roosevelt was first elected in 1932, he received a vast majority of the southern vote, including those in Mississippi. The same thing occurred four years later but at the end of his second term, voices of dissent were beginning to be heard. The reason for this dissent was simple. Roosevelt was showing concern for the plight of the American Negro. Harry Truman continued Roosevelt's policies when he took over after FDR's death in 1945 and, as a result, Mississippi and several other states bolted the Democratic Party in 1948. As we all know the third party movement of that year was designed to prevent Truman's election. The people behind this movement felt Truman had to have the South to win. He proved them wrong and things have never been the same since.

THE GUBERNATORIAL ELECTION of 1964 marked the end to a one-party system in the State of Mississippi. Rubel Phillips may never be governor of this state but I predict he will have a place in Mississippi history. When Phillips received almost 40 percent of the vote in that election, he assured a two-party system in our state from that point on. The Goldwater vote in the presidential election further established this fact. After generations of voting the straight Democratic ticket, no matter who the candidate, the people of this state finally decided they could vote Republican without becoming contaminated.

My major concern at this time centers around the fact that we are now in danger of becoming a one-party Republican state. As I view the situation, organized labor and the newly enfranchised Negroes are the only forces around to prevent it from happening.

As already stated, the Negro has played a negative role in Mississippi politics for many years. Instead of a negative role, he will be playing a positive one in the near future. We in the AFL-CIO intend to see that he does play a positive role.

Twenty-six counties in Mississippi have a Negro population majority. Many of labor's worst enemies in the Mississippi Legislature live in these counties. We have very few members residing in these counties; if these people are removed from office, it will have to be done with the Negro vote. To a large degree our legislative program is dependent upon our ability to form political alliances with these people. This we are trying to do. The enemies of the labor movement in this state know this and are working overtime to keep it from coming about. These enemies can be found in both the white and Negro communities.

For years we have been doing battle with the "radical right" in this state. Today we are faced with a similar problem from the "radical left" that has attached itself to the Negro community. We intend to meet this challenge also. The AFL-CIO has always resisted any group or element that would subvert our system of government. We intend to continue that policy in Mississippi.

Coalition

RWDSU 2/18/66

CHICAGO DEPT. STORE DRIVE GETS BOOST FROM DR. MARTIN LUTHER KING

Dr. Martin Luther King, Jr., (center) Nobel Peace Prize winner and outstanding civil rights spokesman, joins hands with newly-organized department store workers at recent union meeting in Chicago as they sing "We Shall Overcome." At left are Cleveland Robinson and Bill Michelson of RWDSU's District 65 in New York, who also addressed meeting; at far right is Chicago Joint Board Pres. Henry Anderson. Chicago labor and civil rights forces are backing efforts of RWDSU and ILGWU to win union contract at Saks Fifth Ave. See Page 3.

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Labor & Votes

AFL-CIO Plans Biggest Off-Year Election Push Ever for 1966 Campaign

It Sees Trouble for Liberals In Congress, Frets About Backlash Among Unionists

Leaders Form 'Task Forces'

By JOHN A. GRIMES
Staff Reporters of THE WALL STREET JOURNAL

WASHINGTON — Labor's political strategists, worried over rank-and-file disaffection on racial and inflation issues, are struggling extra-hard to drum up November votes for liberal candidates, mainly Democrats.

AFL-CIO President George Meany is now exhorting union chiefs across the country to get themselves and their members more deeply involved in the Congressional elections. "We're getting cooperation from guys we never could score with before," claims one Federation politico. Mr. Meany also has assigned two task forces of union leaders to put added oomph into labor's efforts to help defeat GOP gubernatorial candidate Ronald Reagan in California and to re-elect old Democratic friend Paul Douglas to the Senate from Illinois.

Half a hundred representatives of various unions have been allocated to individual Congressmen, mostly Democrats, to aid their re-election efforts. Besides helping get out the vote, these operatives are tending to such campaign "nuts and bolts" as getting literature printed and distributed, recordings made and meetings set up. A week-long training session in Washington preceded their deployment. It's the first time such an operation has been so early and been so thoroughly organized.

Manning the Phones

In key political battlegrounds, union volunteers are manning banks of telephones, talking to union members earlier and more often than usual to learn what they are thinking and how they will vote. "Then we can advise the candidate on how and where he has to work, and plan our literature to help him," says an AFL-CIO aide.

Come Election Day, the phones will be manned again to make sure that union members backing the Federation's favorites get to the polls. "In some areas, this kind of thing can supply the margin of victory," reasons a union official.

In certain parts of the country, names and addresses of union members are being fed into computers to prepare rosters of registered voters from which door-to-door canvassers can work, to provide phone lists for Election-Day calling, and to make possible direct mailings of campaign literature addressed by name to individual union members at home. The aims: To take the sometimes hit-and-miss drudgery out of the task of reaching voters and to free campaign workers for personal voter-contact efforts.

In these and other ways, the AFL-CIO's Committee on Political Education (COPE) is seeking to crank its political machinery to a rate unprecedented for a non-Presidential election year. Fearing shrinkage of the huge liberal Democratic majorities in Congress, COPE sees a crisis at hand.

Focus on Freshmen

Some 70 House contests and 15 Senate races are given high priority by Federation officials. The biggest effort will go to help 48 freshmen Democratic Congressmen who were narrowly elected in 1964 and whose votes got high marks on AFL-CIO score sheets. More or less typical is Rep. John Gilligan of Ohio, who is trying to fend off the comeback bid of former GOP Rep. Robert Taft, Jr.

It was these lawmakers, union publications keep emphasizing, who helped provide the margin of victory for much of President Johnson's labor-backed Great Society program: Medicare, aid to education, minimum wage liberalization and the like. (Union failure to win "right to work" repeal and relaxation of construction picketing restrictions are played down.) Averaging out the votes of 59 Congressmen, mostly freshmen, on 11 issues, one union publication declares: "If you had a .934 hitter, you'd keep him in the lineup."

A loss of 20 to 25 Democratic House seats, labor politicians figure, would severely crimp union ability to wring from Congress further gains in health, welfare and civil rights legislation. "And that's the minimum loss figure I hear talked about," remarks an AFL-CIO aide.

Along with statistics showing shrinkage in Congressional holdings of the majority party in most off-year elections, AFL-CIO officials are unnerved by recent setbacks in primary voting and by other omens. A COPE staff memo giving Mr. Meany and others a state-by-state rundown of prospects has turned many faces grim. "Anywhere you look, we're in trouble," groans a COPE official.

Courier ~~Post~~

SEP 1966

The President's Column

Vanguard 9/1966

By

ROBERT BATTLE III

Black Power or Human Power?

When there are enough problems and headaches for everyone already, and there is plenty of difficulty in establishing a dialogue between our community and a large section of the white community, it isn't a wise idea to introduce new words or concepts which makes it harder for everyone concerned.

And that's what the all too simple, and catch-all phrase "black power" has done to the debate on how and where we make our next gains and with whom. I've listened to many different Negro leaders discuss this phrase "black power" on nationwide TV, and I've read about it, and I'm sure of one thing. There is so much confusion about what it means or was supposed to mean that at least some of the young leaders who talked about it now say they don't want to discuss it. It is now a "private matter."

I'm sure that any readers who have followed the events in Chicago, and elsewhere, and heard the young white gangs respond "white power" to the cries of black power can see that our difficult struggles haven't been helped by shouting the slogan "black power."

Both Rev. Martin Luther King and a labor leader like Walter Reuther have declared they don't believe in white power or black power, but in human power, the power of human beings to solve their problems through their struggles as human beings, and this is what I buy as a good approach.

Of course, there are all kinds of power: political, economic, social, military—the list is long, and nobody has a monopoly forever on any of it. But it's one thing to talk about our political power . . . and each election in Detroit shows we have some in our community, and it's another thing to suggest that this can be total black power. It just doesn't make sense in view of our experiences here.

We ought to use our economic power more, and we need more economic power which our people can get only through jobs at decent pay, but that doesn't mean we'll ever match the money power of General Motors or Ford. We can have some effect by what we buy and where we buy it, but only within limits.

I think, in fact I know, that the moral power of Rev. Martin Luther King proved stronger than the police power of Bull Conner, in Birmingham. That doesn't mean that moral power is going to win everytime . . . it's got a long way to go in Cicero, Illinois, but it does point out that we have to use different kinds of power, at different times to make gain.

And all these powers are greater when we have with us a segment of the labor movement or the white community or both. And when the white church leaders join with our leaders in making protest in behalf of progress.

When I see how a young white Catholic priest in Milwaukee leads our struggle and gets some results, I wonder how the advocates of black power feel. And have they forgotten that at Selma, Alabama, it was the coalition of whites and Negroes who made the marches . . . and that many white civil rights leaders as well as Negroes have been murdered in the struggles. Surely it does a disservice to their memory to ignore their contribution, and to say that we alone have or can do the job.

The cry of black power is one of despair at the rate of progress, and there are times to despair. It is a cry of frustration, and God knows there are many frustrations. Of course we understand it, but that doesn't make it right. For it has divided rather than united. It has introduced an unnecessary debate in the big debate on how we make our next gains.

I'm not one who believes that at all times all Negro leaders ought to think or talk alike. Quite the opposite. We are as entitled to arguments and differences of opinion as the next man or the next race. So I'm not advocating any shutoff of the debate over tactics or strategy, or the rate of progress, or the failures. I'm just saying that introducing the cry of "black power" hasn't helped one bit. And we'll get further ahead talking in terms of human beings and human power, and human dignity and human justice than by talking in narrow race terms.

TULC has always stood for proper utilization of our power on all different fronts with proper alliances with our proven friends, and this still makes real sense to men.

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Members Meeting See Page

WILEY BRANTON
VOTER EDUCATION PROJ.
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ATLANTA 3 GEORGIA

ackson Appointed to International Staff

First Woman Ever Selected to Serve at Top Level of Big 3

TULC's most active member has been picked to augment the UAW International Staff serving Ford employees. Mrs. Elizabeth Jackson's job promotion was announced by Ken Bannon, head of the union's Ford Department on August 29.

Mrs. Jackson's new duties encompass the supervising and negotiating of pensions and insurance benefits accruing to Ford employees.

This promotion is startling in the fact that for the first time a female production worker has been elevated by the union in the realm of dealing directly with top management of one of the Big 3 auto firms.

Celebrating 22 years at Ford's River Rouge plant, Mrs. Jackson came to Detroit via Albany, Alabama — her birthplace — and Washington, D.C. — her family move enabled her to complete her high school studies in the nation's capital.

Active in Local 600 for more than 15 years, she was named in 1964 to co-chair the international union's group seeking placement of a woman on the International Executive Board—a feat accomplished some months ago at the union's West Coast convention.

A charter member of TULC, Mrs. Jackson serves Freedom House in several capacities — the most noteworthy being that of manager. In this role she supervises waitresses, is responsible for physical improvements and coordinates activities—at times, she even organizes them!

To such an activist we offer our sincerest congratulations and best wishes on her new appointment —and trust that her new duties will not take her away from her work at Freedom House. We need you too, Liz.

MRS. JACKSON

d Urges of e Facilities

make use of Freedom plans monthly programs and urges members to wants and thinking on dom House.

rency Needs Help!

allenging Gov. George ney in the coming Novem- election is Zolton Ferency, erudite and polished 44- -old state chairman of the ocratic Party. Long active Democratic Party circles, ncy as state chairman used position to good cause in king out loud and clear nst Republican attempts measures to water down or eliminate any benefits ned specifically for Mich- workers.

troit-born and educated, ncy lives with his family ast Lansing. His Detroit aign headquarters are on second floor of the Tuller —and campaign workers needed.

Music-Makers at Freedom House

Count Mountie's Band is seen here rehearsing for their week-end stint at Freedom House. A lively and musically-alert group, the band provides mood and ship be up-to-date and that all guests sign the register. And special attention is paid to all visiting out-of-towners. So, if you

c ends!

Beer Bash given in d O'Hare — candidate ember's election — at edom House.

column for Vanguard, is Michigan chairman ion.

Taking It on the Chin

THE GOVERNMENT has come up with some new and highly significant figures that the average factory worker is taking it on the chin financially.

A worker with three dependents has been taking home more after deductions for income and social security taxes but his paycheck is buying less. The villain is higher prices, especially for food and medical care and services generally.

In August 1965 this worker had a take-home paycheck of $95.87. A year later, in August 1966, the paycheck rose to $98.46, a gain of $2.59.

But in the same period the real purchasing power of that paycheck declined 63 cents!

During that same period, also, profits and dividend payments skyrocketed to new highs, even after adjustment for real earning power.

During this same period, also, unit labor costs have remained practically unchanged, proving conclusively that the rising cost of living does not stem from higher wages or labor costs.

This situation demands quick and specific correction. It calls for, first of all, an increase in wages and fringe benefits that will give the worker a fair share of the tremendous earnings of the companies he works for. It calls for establishing a formula that will not see wage gains wiped out by price increases that have little if any relationship to higher wage costs.

The essentials of the nation's economy call for a strong and constant purchasing power, and the great bulk of American purchasing power is in the hands of people who work for wages and salaries. A stable, expanding economy demands an end to the drainage of the worker's purchasing power and recognition of his right to a fair share of the wealth he helps produce.

COPE's Home Stretch

THE 1966 ELECTION campaign is in the home stretch, in the final five weeks. The primaries are over, the candidates selected and the issues are coming into focus.

Across the nation COPE committees have made or are in the process of making endorsements in the senatorial, gubernatorial, and congressional contests, and in many states and cities local COPE groups are backing candidates for the state legislatures, city councils and other local offices.

Those candidates endorsed by COPE have been selected because of their liberal and progressive records and views. They represent the best hope for progress at the national, state and local levels.

Because they represent liberal viewpoints they need the all-out

It Doesn't Measure Up

COALITION

AFL-CIO NEWS 10/1/66

Scores 'Black Power' Drive:

Civil Rights, Labor Coalition Vital to Racial Peace—Randolph

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Because they represent liberal viewpoints they need the all-out support of trade unionists to fight off the attacks of their generally conservative opponents. That means working in the neighborhoods, the precincts and the wards to inform all trade union members and voters generally of the issues involved and of the critical need to get out and vote on election day.

It means, also, voluntary contributions to help finance the campaigns of COPE-endorsed candidates. A few extra dollars can make the difference—a little more radio time, television spots, mailings. Now, in the final five weeks, is the time to make sure that the best possible job is being done.

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AFL-CIO NEWS 10/1/66

Scores 'Black Power' Drive:

Civil Rights, Labor Coalition Vital to Racial Peace—Randolph

The following is excerpted from an address by AFL-CIO Vice Pres. A. Philip Randolph to the 13th constitutional convention of the Steelworkers in Atlantic City.

WE HAVE in the country at this time growing tension between the black people and white people.

There is what is known as the growing white backlash and there is also a growing black backlash. What will this amount to? If it continues there will be a confrontation of blacks and whites in America, not from the point of intellectual dialogue but from the point of view of a struggle, one to secure its full citizenship rights, and others to deny him the right to get these rights.

I am greatly concerned about this condition. I looked upon the faces of white citizens on the television when Negroes were marching in Chicago for the right of open occupancy in housing, and the faces were ugly with rage and resentment. This was an unhappy thing.

And then, of course, Negroes were throwing bottles and bricks, Molotov cocktails, turning over automobiles, throwing rocks into stores, looting the stores, engaging in lawlessness and so forth. I deplore lawlessness of any kind. I deplore riots of any kind. Throwing Molotov cocktails is not the answer to the problem of the Negro. The answer is deeper than that.

And consequently, civil rights leaders are greatly concerned about this trend. I want to see the civil rights leaders take great care against overheating the ghettos that have the racial and social chemistry full of ingredients of explosive potentialities. This could escalate into a race war which could become catastrophic to the Negro and to America.

Therefore, I plead with you as workers to help us resolve this problem. You know what it is to be deprived of your rights. In the middle of the 19th century the workers did not have the right to form a union of their own. There was what is known as the law of conspiracy, and if three or more workers were found together, they were penalized. Nevertheless, you fought against that, and in the latter part of the 19th century the great strikes of America took place—the railroad strike of 1894 under Eugene Victor Debs.

Railroad strikes resulted in tearing up the rails and burning down the terminals because the workers thought they had rights that were being deprived them. And, of course, you recall the Haymarket riot in Chicago in 1886; the Homestead massacre around the 90's; the Ludlow massacre. In other words, there have been battlefields all over this nation where the workers have been fighting for their rights.

Therefore the Negro workers have a right to come to you, to call upon you to help in winning their fundamental rights that are God-given and not man made.

We have developed a program, and I believe that the time has come when the street marches and demonstrations have about run their course. I believe that the strategy now in order is to shift from the streets to the conference room for the purpose of discussion of the problems in the interests of finding an answer.

WE KNOW that the public has lost some of its sympathy for the cause of civil rights because of demonstrations and disorders in the street.

You have heard a lot about black power. Well, the civil rights organizations are not committed to black power. That is a slogan and you cannot solve basic social and economic problems with slogans. It is based upon the assumption of salvation through racial isolation, which is absolutely unsound.

However, it has been created by oppression of Negroes in this country. It didn't just come out of the air. It came out of frustration, a sense of despair and hopelessness. Negroes are grabbing at every straw they think might help in the bringing out of emancipation. Instead of separation we need cooperation. That is why we have proposed a freedom budget, which is based upon the alliance between labor and the civil rights movement. This alliance will go farther and build what is known as a coalition.

In other words, we are attempting to transform the civil rights revolution into a social revolution which is concerned not only about the Negro, but about the poor whites as well.

We realize that there are 35 million people, according to the Dept. of Labor, on the poverty line in this country. Twenty percent of them are black and about 75 percent are white. Therefore, the black working poor and the white working poor must unite in order that we might be able to create full employment under the leadership of organized labor. There is no remedy for the problem that confronts the civil rights revolution without full employment. Full employment is the basis of fair employment.

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"Were it not for the labor press, the labor movement would not be what it is today, and any man who tries to injure a labor paper is a traitor to the cause."
—SAMUEL GOMPERS

The Racist Smokescreen

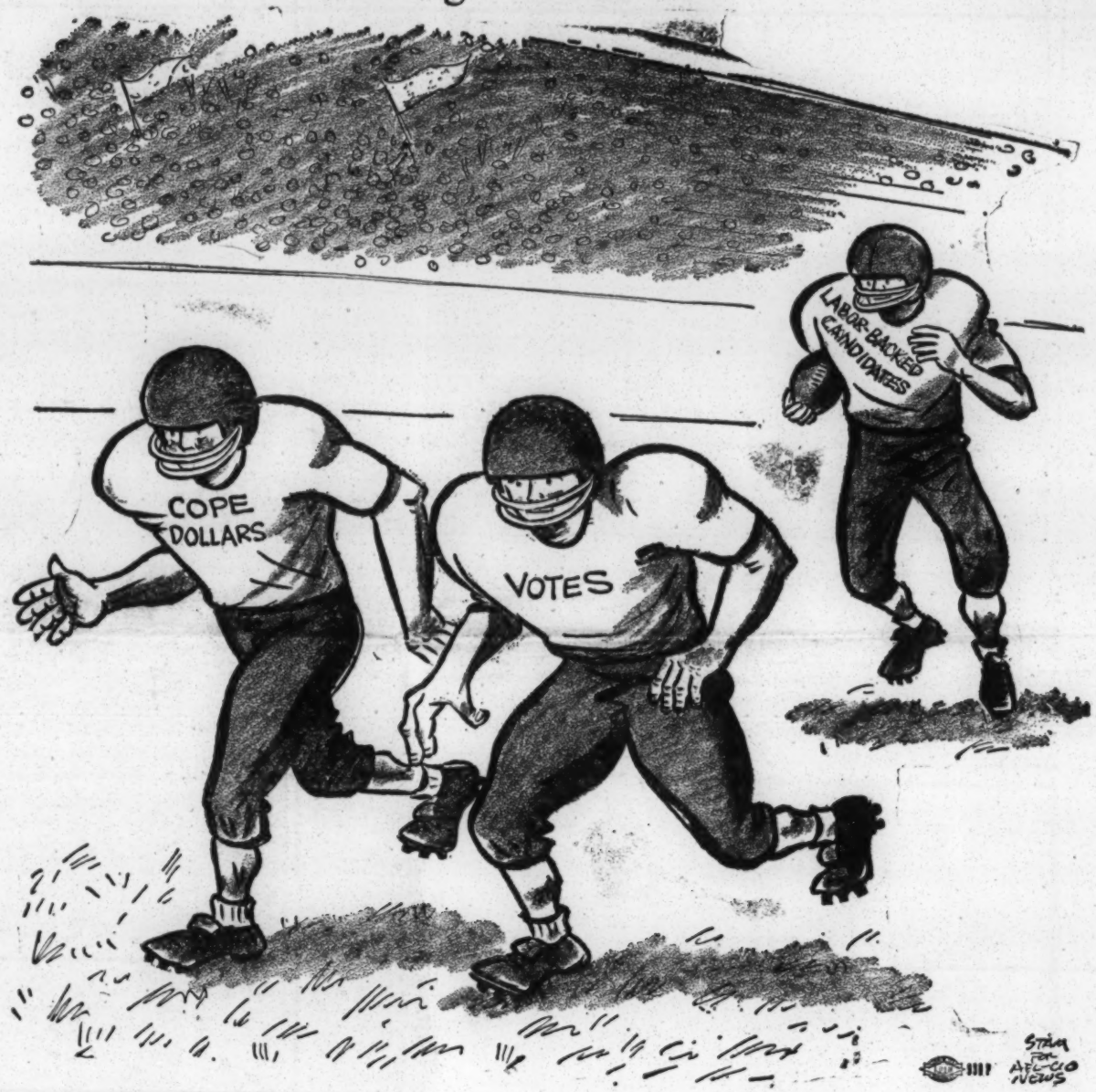
The national leadership of the Republican Party, seemingly desperate for an issue to rebuild the party's strength in the November elections, is trying to latch onto the white backlash issue.

The Republican Coordinating Committee, which includes the party's top leaders in Congress, the states and the national committee, issued a statement this week charging that high officials of the Johnson Administration "have condoned and encouraged disregard for law and order," and that the Administration "has accomplished nothing of substance to date to promote public safety."

The New York Times headlined the story on Page One: "GOP Will Press Racial Disorders as Election Issue." The story noted that the Republicans found the race issue of "increasing concern to Americans," and that they "moved to give the issue more prominence in the current political races."

The GOP move, tied reportedly to current polls showing the civil rights issue a major concern of 58 percent of persons queried, was too much for New York Gov. Nelson Rockefeller. He immediately dissociated himself from the policy statement and said responsibility for rioting where it

A Winning Combination



Fountain Speech Saves Taxpayers 2 Million Dollars

WASHINGTON — North Carolina Congressman L. H. Fountain feels good all over.

The Second District Democrat saved the Government a minimum of two million dollars by making a speech.

It was one of those "Horatio at the bridge" actions which mark the waning days of a congressional session when eagle eyes are required

the Public Health Service was moving to collect.

In at least one case, a New York organization had already been billed for a $412,000 overpayment, which it would have been allowed to keep under the provision in the money bill.

Since 1958, the service has recalled over a million dollars in such overpayments.

Fountain's subcommittee staff

on the cost recovery program.

Fountain went to the floor under a special dispensation and interrupted debate on the antipoverty bill to raise his red flag about the Senate bill.

His attack got attention in morning newspapers here, and by the time the Senate met for business that day, some senators were on to the provision.

backlash issue.

The Republican Coordinating Committee, which includes the party's top leaders in Congress, the states and the national committee, issued a statement this week charging that high officials of the Johnson Administration "have condoned and encouraged disregard for law and order," and that the Administration "has accomplished nothing of substance to date to promote public safety."

The New York Times headlined the story on Page One: "GOP Will Press Racial Disorders as Election Issue." The story noted that the Republicans found the race issue of "increasing concern to Americans," and that they "moved to give the issue more prominence in the current political races."

The GOP move, tied reportedly to current polls showing the civil rights issue a major concern of 58 percent of persons queried, was too much for New York Gov. Nelson Rockefeller. He immediately dissociated himself from the policy statement and said responsibility for rioting where it took place rested with the mayors of the cities involved. Rockefeller made it clear that he did not think either Pres. Johnson or Vice Pres. Humphrey was responsible for the incidents of the past summer.

The GOP attempt to pick up votes via the white backlash route is a contemptible piece of political opportunism. That a major American political party would knowingly align itself with forces based on fear and hate is in itself repugnant.

The Coordinating Committee's position is pointed up also by the gallant fight waged by the handful of Republican liberals in the Senate against watering down administrative guidelines on integration in federal medicare and school aid programs.

These same liberals—and their Democratic liberal allies—have fought also for programs that would bring some measure of aid to the Negro ghettos via anti-poverty programs, increased and broadened minimum wage laws, school aid and a number of social welfare approaches.

Those who have milked the issue of racial conflict for votes in both the Democratic and Republican parties essentially lack any sense of decency or morality. But beyond this they stand guilty of throwing up a polluted smokescreen to cover their complete lack of program, or, in a number of cases, their extremist positions against progress in economic, politicaly or social terms.

There are critical issues in the 1966 elections and one of them is to devise ways and means, legislatively and administratvely, to reach the goal of equal rights for all.

There is the real issue of rebuilding the cities and the role of the federal government in this effort. There is the continuing war on poverty which affects three times as many whites as Negroes.

These are the issues to which the candidates should be addressing themselves at all levels in the North and the South. The blatant appeal to fear and hate and emotionalism may produce a few votes, but it will do so at the cost of seriously weakening the fabric of American society.

Are You REGISTERED-?

YOU CAN REGISTER THIS SATURDAY

Fountain Speech Saves Taxpayers 2 Million Dollars

WASHINGTON — North Carolina Congressman L. H. Fountain feels good all over.

The Second District Democrat saved the Government a minimum of two million dollars by making a speech.

It was one of those "Horatio at the bridge" actions which mark the waning days of a congressional session when eagle eyes are required to catch the loopholes payoffs, and little favors for friends which crop into the outpouring of last minute legislation.

In Fountain's case, it was a question of longtime watchfulness. As chairman of a House subcommittee on intergovernmental relations Fountain has developed a nose for loopholes in legislation. His discoveries of hanky-panky in the federal bureaucracy have made periodic headlines.

This time his eye caught a provision buried in the Senate version of the annual appropriations bill for the Department of Health, Education and Welfare.

The provision, in effect, would have allowed several research organizations with federal contracts to keep some overpayments which the Public Health Service was moving to collect.

In at least one case, a New York organization had already been billed for a $412,000 overpayment, which it would have been allowed to keep under the provision in the money bill.

Since 1958, the service has recalled over a million dollars in such overpayments.

Fountain's subcommittee staff estimated there is at least that much more to be recalled.

To head off the Senate's provision Fountain's staff whipped together a floor speech loaded with statistics on the cost recovery program.

Fountain went to the floor under a special dispensation and interrupted debate on the antipoverty bill to raise his red flag about the Senate bill.

His attack got attention in morning newspapers here, and by the time the Senate met for business that day, some senators were on to the provision.

That afternoon the sponsor of the money bill—Sen. Lister Hill of Alabama—discretely retreated. He offered a motion to excise the forgiveness provision.

INVEST IN A BETTER WORLD

COPE

GIVE A BUCK

HEAR EDWARD P. MORGAN AND THE NEWS

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Lumberton, WTSB	7:00 P.M.
Raleigh, WRNC	7:00 P.M.

Organize Today For A Better Tomorrow

Industrial Union Dept., AFL-CIO

For Information Or Assistance Write

JAMES PIERCE, Co-ordinator

2121 Commonwealth Ave., Charlotte, N.C.

NEWS from the AFL-CIO

NA. 8-3870

October 14, 1966

Following is the text of a letter sent today by AFL-CIO President George Meany to A. Philip Randolph, vice president of the AFL-CIO:

It was with warmth and enthusiasm that I read the advertisement in the New York Times this morning, signed by yourself and your fellow leaders of the Civil Rights movement.

Please extend to each of them my warm thanks and congratulations for they have in this restatement of principles and commitments summed up, in admirable fashion, the problems, the aspirations, the needs of America in this crucial moment in history.

I know that you need no reassurance of the AFL-CIO's intentions but I would appreciate it if you would convey to your colleagues the AFL-CIO's firm and unswerving determination to achieve full equality in America in all fields -- education, employment, accommodations, housing and justice.

Your restatement of commitment to the attainment of racial justice by the democratic process, your repudiation of the strategies of violence, reprisals or vigilantism, your reaffirmation of the goals of integration commends itself to every thinking American.

There is, in America today, a so-called "white backlash." It is deplorable. It was born out of the ability of demagogues to capitalize upon rioting. It stems from unreasoning fear stimulated by the reckless cries of "black power."

It thrives on the ignorance of many citizens as to the real issues involved in equal rights controversies.

You and I agree that extremism is the antithesis of democracy and extremism by advocates of justice for America's minority population cannot be countenanced any more than extremism by advocates of white supremacy. In my book, the advocates of black supremacy and white supremacy belong in the same camp and the American trade union movement opposes both equally.

I know we are also in agreement that the problems faced by the civil rights movement cannot be resolved in an economic vacuum. As the AFL-CIO has repeatedly said, equal opportunity in employment is meaningless unless there is full opportunity; equal housing is impossible until we eliminate the slums and build the homes America needs for all its population -- black or white; equal education is impossible

-more-

until America puts its money where its mouth is and builds the kind of schools and supplies them with enough well-paid teachers to do the job of providing good education for every one of our children.

The AFL-CIO is dedicated to building the kind of America which will supply the answers to all of these problems. Our goal is to provide the schools, provide the jobs, provide the homes, provide the health care and provide the understanding that it is poverty and ignorance and despair that are the real root causes of all of America's domestic problems.

The AFL-CIO will not retreat from its commitment to the cause of civil rights any more than it would retreat from its commitment to abolish poverty, illness, suffering, and want in this nation.

You and I agree, I know, that a vital first step to the achievement of our goal must be a massive turnout of every registered voter on November 8, voting for those who back our program, voting in opposition to those who would delay or destroy it. We know both the friends and the enemies of the civil rights movement and of the labor movement in the Congress of the United States.

In the crucial elections of 1966, it behooves both the civil rights movement and the labor movement to support our friends and defeat our enemies. Those who counsel a boycott of the polls this year are either deliberately or mistakenly aiding only the enemies of both civil rights and the labor movements, and are playing into the hands of the demagogues who would use the white backlash to halt social progress in America.

No one could honestly pretend that the road to the achievement of full civil rights for all will be an easy one but it is a road America must traverse for it leads to a goal we must achieve.

In the achievement of that goal, the labor movement marches side by side with the leaders of the civil rights movement, like yourself, who joined in today's restatement of the policies and commitments of the civil rights movement.

Let me reiterate the AFL-CIO's position: We reject out of hand the concept that there can be any first-class or second-class citizenship in the United States. In our country there can be only one class -- citizen -- the highest and most meaningful title in a democracy.

-30-

Alliance Formed For Write In Vote Drive

An alliance that includes organized labor, religious and civil rights groups, formally organized last Tuesday, in Atlanta, Georgia agreed to a "write in Arnall" campaign.

The organization represents 50 organized groups claiming a membership of 100,000 thousand registered voters.

Mr. Arnall has stated that he will neither endorse nor oppose the write in effort but a spokesman for the alliance stated that it made no difference whether or not Mr. Arnall was behind the movement.

Mr. Joseph Jacobs, publicity chairman for the alliance said "We want a man for governor of our great State who will represent all Georgia citizens with dignity and decency and not another ax handle Wallace or Goldwater." He added that the alliance would tell each member how to write in Arnall's name on the ballot.

Jacobs said that the alliance for Social Economics Progress includes all of the states A F L-C I O Unions, the Teamsters Union, The Leadership Conference, and the Georgia Voters League.

Governor Arnall should have. He is launching an attack on Mr. Maddox irresponsibility and the ole line repudiated politicians with whom he is surrounding himself. Bo' is also making a definite pitch for the moderate democratic votes by praising the moderate administrations of Ernie' Vandiver and Carl Sanders and promising to continue their honesty in government administration.

[illegible] pledged

The Macon Weekly Oct 15, 1966

WRAMA Gives Service Awards

ROBINS AFB, Georgia, October 10 -- Thirty-three employees of the Maintenance Directorate, Warner Robins Air Materiel Area have received 10 and 20 year length of service

Second class postage paid at Washington, D. C. NO. 21-66 OCTOBER 17, 1966

Coalition

MEMO from COPE

COMMITTEE ON POLITICAL EDUCATION, AFL-CIO
815 16TH STREET, N.W., WASHINGTON, D. C. 20006

GEORGE MEANY, Chairman WM. F. SCHNITZLER, Secretary-Treasurer ALEXANDER E. BARKAN, National Director

Would You Trade Progress for This?

(See Page 2)

—HENRY WILHELM

'BACKLASH' OF HATE raged in Chicago and Cicero, Ill., recently against fair-housing demonstrators. Egged on by adults, youngsters hurled rocks, bottles and curses at demonstrators. Extremists plan to exploit so-called "backlash" to political advantage.

Hate-Peddlers at Work

CAN YOU talk about race . . . without losing your temper? Try. It's not easy.

Because there are people busy stirring up trouble. They deliberately anger you. They plan it that way.

The extremists, the professional hate-peddlers and racists—they're all trying to blind you to the real issues of the 1966 political campaign.

Hate is not the real issue. Neither is prejudice or property or who lives in your neighborhood.

The real issue is progress.

Do we move ahead on education, medicare, jobs, social security and the whole important roster of social needs? Do we really attack the key problems of tax reform, consumer protection, automation and efficient public transportation?

Or do we simply forsake progress and cave in to the hate peddlers?

* * *

IT'S NOT EASY to hear the voice of reason when unreasonable people are shouting hate in your ears. They pistol-whip you constantly about the race issue. They want you to focus your total attention on the race issue. Their plot is to persuade you to desert your real friends and vote their way.

Hate is their stock in trade. Hate is sand in your eyes.

If your Congressman or Senator voted for civil rights legislation, he's a target of the far right. They'll blame him for riots, civil disobedience and all the other social problems caused by generations of discrimination.

The hate-mongers ignore completely what your trade union emphasizes most: The 89th Congress is probably the best Congress since the critical Roosevelt days of 1933. This Congress has passed more legislation for the good of more people than any Congress in history.

Look at the record of accomplishment:

Medicare—helping 20 million elderly Americans meet their health needs.

Aid to education—helping your children and 40 million other American kids get the best possible education.

Aid to colleges—opening the doors wide to all young people who qualify, regardless of ability to pay.

Pollution control—giving us a start toward clear air and clean water, both polluted by years of neglect.

Minimum wage—raising millions of Americans to where they can sustain themselves for the first time in their lives.

And many more sound, solid, progressive pieces of legislation.

* * *

THE HATE-PEDDLERS figure they can't lose. They think you're a patsy for their propaganda and a pushover for their plans to undermine progress and democracy.

They're using race to divide and conquer.

They're throwing the sand of hate into your eyes to obscure your vision and give them the chance to get rid of medicare, scuttle education programs, wreck job-creating legislation, beat down the minimum wage and stop dead in their tracks efforts to protect the consumer and reform our antiquated tax laws.

There's nothing new about the technique.

They tried it 30 years ago in Germany. And it worked.

The choice is up to you: hate or progress. You have only one choice. *—AFL-CIO Committee on Political Education*

'You're Both Guilty'

Coalition

Oct 30, 1966

RWDSU Leader Speaks to Alabama Unionists

MOBILE, Ala.—Urging 500 delegates to the Alabama Labor Council convention to spark a large-scale organizing campaign, Int'l Pres. Max Greenberg cited RWDSU success in organizing in remote areas of the South, and declared "it can be done."

A guest speaker at the state body's three-day convention Oct. 10, 11 and 12, Greenberg's appearance was hailed by Council Pres. Barney Weeks as a tribute to the RWDSU's success in organizing in Alabama. During the past 18 months, the union has organized thousands of workers in the state, many of them in the Black Belt.

"Our International has been making real progress recently," Greenberg said, "and we are proud of it because of the area in which the organizing is taking place—the hard core, the Black Belt, the forbidden territory in Alabama, the closed door, the place with the big sign on it: Union organizers enter at your own peril. But we have entered, and we have brought the benefits of a union to thousands of workers who need them so badly."

He called for widespread organization of both Negro and white workers in the South.

"We in the RWDSU have been successful in organizing the unorganized in this state because we have organized Negro workers as well as white workers," he said. "We have made our appeal to their economic needs, to their desire for a better life, to their hopes for better opportunities for themselves and their children, and they have recognized that the only way they can achieve these things is through organization into a trade union.

"During the last few months, we have been hearing a lot about 'black power' and we have been hearing about the white blacklash and white power," he continued.

"I say to you that what is needed is neither 'black power' nor white power. We need only one power—union power."

Welcoming Pres. Greenberg (center) to Alabama Labor Council convention in Mobile are Ass't Southern Dir. Frank Parker (left) and Barney Weeks, president of the council.

Among RWDSU delegates to the convention are (left to right) Dave Walton, Org. C. T. Daniel, William McCutcheon, Enola Sweeten, Max Mayfield, Frank Parker, Ernestine Stafford, Velma Farmer and William Rosser.

Distributed in
Labor News
Durham N.C
Friday, Nov 4, 1966

Coalition

Can you talk about race . . . without losing your temper?

TRY.

READING TIME:
2 minutes
57 seconds

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They plan it that way.

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or
☐ PROGRESS

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THE AFL-CIO POSITION

We reject out of hand the concept that there can be any first-class or second-class citizenship in the United States. In our country, there can be only one class—citizen—the highest and most meaningful title in a democracy.

—From official AFL-CIO testimony before Congress.

AFL-CIO COMMITTEE ON POLITICAL EDUCATION
AFL-CIO Bldg., 815 16th St., N.W., Washington, D. C.
GEORGE MEANY, Chairman
WM. F. SCHNITZLER, Secretary-Treasurer

Coalition EV-P

Stronger Labor, Rights Links Urged

Natural Alliance Pressed as Key To Social, Economic Reforms

The labor and civil rights movements should strengthen their natural alliance in pursuit of social and economic programs that will benefit all Americans.

This was the basic argument put forward by contributors to the November issue of the AFL-CIO Federationist. The theme of the 32-page edition was "Equal Rights: To Realize the Promise."

The unemployed and lower-income Negroes and whites all would benefit as unions and civil rights groups united to fight for full employment, adequate training and more and better schools and housing, the writers agreed.

Professor Ray Marshall of the University of Texas declared that if the labor and civil rights movements united behind common objectives, they could become a powerful force for the national good. Divided, he warned, they would strengthen their common adversaries.

Bayard Rustin, a leading civil rights strategist, wrote that the civil rights movement is at a crossroads. He said the movement must ally itself with labor and liberals to fight for the Freedom Budget or else be led by the appeal of "black power" into strife and a racial nightmare.

Other articles in the magazine dealt with the moral basis of civil rights, the roles of organized labor and civil rights groups in expanding opportunities and making civil rights laws work more effectively.

AFL-CIO Pres. George Meany, in an editorial on "Labor's Commitment" stated labor's position:

"The AFL-CIO is firmly determined to achieve full equality in America in all fields—education, employment, accommodations, housing and justice."

Meany also deplored the so-called white backlash. He blamed it on demagogues exploiting unreasoning fear stimulated by cries of "black power." He said labor opposes both black supremacy and white supremacy and believes America has only one class—citizen—"the highest and most meaningful title in a democracy."

These were the main points made by the authors:

- A. Philip Randolph, discussing "The Moral Basis of Civil Rights," makes the point that all men are brothers and so entitled to equal treatment.

Randolph, president of the Sleeping Car Porters and an AFL-CIO vice president, criticized "black power" as a slogan that cannot solve social and economic problems. He urged cooperation between labor and civil rights groups in support of the Freedom Budget and the goal of full employment.

- Dr. Marshall traced "The Roots of the Negro-Union Alliance." He proposed a variety of approaches through which discrimination might be reduced and opportunities expanded through cooperative action by labor and civil rights groups.
- Donald Slaiman, director of the AFL-CIO Civil Rights Dept., described the close working alliance between civil rights groups and labor in winning rights legislation and on labor issues. He spelled out in detail labor's policy and program for eliminating the discrimination remaining in unions.
- The Workers Defense League of New York City explained how it organized information on apprenticeship opportunities and worked closely with unions in placing Negro youths seeking to learn a trade.
- **Whitney Young, Executive Director of the National Urban League, detailed the wide range of NUL programs aimed at opening the doors of opportunity to minorities.**
- Rustin, who is executive director of the A. Philip Randolph Institute, posed the choice facing

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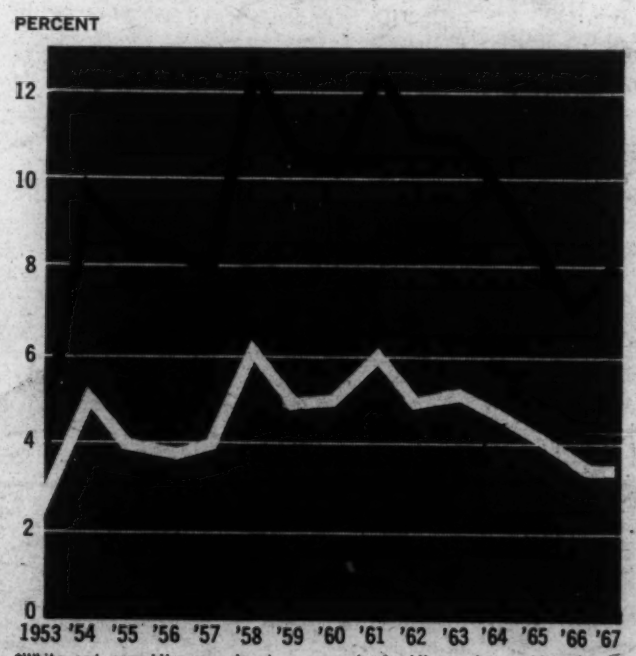
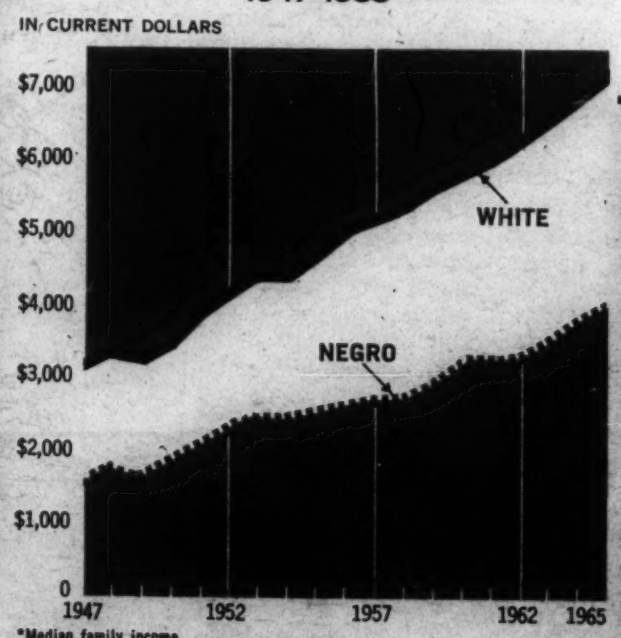
- Rustin, who is executive director of the A. Philip Randolph Institute, posed the choice facing "Civil Rights at the Crossroads." He urged a Negro-labor-liberal coalition to achieve progress. The alternative, he warned, is social chaos.
- Nathaniel Goldfinger, director of the AFL-CIO Dept. of Research, wrote on "Negroes and Jobs" and analyzed the factors behind the high unemployment rates of Negro adults and Negro teenagers.
- Walter G. Davis, newly-appointed director of the AFL-CIO Dept. of Education, discussed the whole range of government programs in his article, "Making Equal Rights Laws Work."
- Roy Wilkins, executive director of the National Association for the Advancement of Colored People, wrote on "The NAACP and the New Strategy" aimed at the economic improvement of all lower income groups, Negro and white.

NEGRO AND WHITE UNEMPLOYMENT,* 1953-1966



*White and non-white unemployed as percent of whites and non-whites in the labor force.
SOURCE: U.S. Department of Labor.

THE GAP BETWEEN NEGRO AND WHITE FAMILY INCOME* 1947-1965



*Median family income.
SOURCE OF DATA: U.S. Bureau of the Census.

God, he said, had been his campaign manager.

Back and Support Mr. Lester Maddox . . . Georgia's Next Governor

by A. D. GRAHAM

WITHOUT THE KNOWLEDGE OF MR. LESTER MADDOX.

"GOD", Mr. Maddox says, "has been his Campaign Manager."

A truer statement was never made as all the people of Georgia know by now. Won't it be wonderful Wednesday morning, November 9, 1966, when we wake up and we are able to go out to our cars to go to work and breath the fresh air around us; and know that we have a governor who's only obligation is to the people of Georgia.

Mr. Lester Maddox will be Georgia's next Governor regardless of what those big die hard Politicians, who have placed all their money on a loser, come up with in order to try and get their money back.

Mr. Maddox is for the working people. He knows what it is like to be poor. He knows what it is like to work for a living. He knows what it is like to go without things that others were able to enjoy; yet, he did not go rioting and looting to get where he is today. Mr. Maddox worked the same as you and I. We could all do the same as he has done if we have the ambition, and desire. If we are willing to make sacrifices that he has made. This is the Democratic way.

Mr. Maddox lost his job once because of two (2) Negroes. He was a Supervisor and his superiors wanted him to fire the two Negroes. Mr. Maddox refused and he lost his job because he failed to do so.

I have not heard Mr. Maddox soliciting the Negro vote, neither am I. I could care less as to how they vote although I feel confident they will be treated as individuals the same as you and I. That is, to say if you are worthy of consideration you will be able to obtain it regardless of race, color, creed or national orgin.

The only thing I wish to get across is that this prejudice and hate that the Atlanta Constitution and The Television Stations are trying to instill in the minds of Georgian's and the rest of the nation are False.

I say to all Georgians who have closed their eyes because of this hate; Open your eyes and read between the lines and you will see what a mistake you have made.

At first I felt the same as a lot of Georgian's, but since the Primary, "Thank God," I have opened my eyes and what did I find?

I found a man of Honor, a Man of Sincerity, a Man that is Honest, one that we can all be proud to have as our next Governor. That being none other than Lester Maddox.

Mr. Callaway has spoke as to his reasons for voting against the wage and hour bill. There are several reasons, one being that of bring Industry into the State of Georgia.

Mr. Callaway is a handsome, very distinguished, well educated and definitely has the experience in Government, **but I say to Mr. Callaway we are not interested in bringing Industry into the State of Georgia on the philosophy of Cheap Labor.**

I feel confident that we can bring Industry into the State of Georgia, but they, Industry, must be sold on the people of Georgia. They must be sold on our ability to produce a quality product. They, Industry, must be sold on the fact that Georgian's are not afraid of work, but are desirous of a fair wage for our Labor.

It has been proven at Lockheed Aircraft Corporation, Marietta, Ga.; as well as other corporations through out the state that the people of Georgia can build a quality product.

As you all know Mr. Callaway inherited his fortunes. This fortune was made by Georgian's at the Callaway Cotton Mills with Cheap Labor.

If you have ever worked in a cotton mill you will know what it is like. You do not know what work is like until you have.

I am not saying that these people are not happy for the majority of them are; for a rule if you work for what you get you enjoy it a lot more than if it is given to you.

I have heard rumors where the employees of Callaway Mills have been told that before they would have a Union, they would close the mills. This could only be in my opinion that they have no intention of paying a decent wage and greedy as they are not satisfied with a reasonable profit.

I say to all Georgian's whether you are for Mr. Maddox right now or whether you are Mr. Callaway; or you may be one of the disgruntled loser's who are planning a write-in campaign. Open your eyes and you will be glad you did.

Mr. Lester Maddox will be our next Governor, but we cannot afford to let up for one minute, because over-confidence has lost a lot of ballgames; it has also lost a lot of Political Races, too. If you do not believe it, ask Mr. Ellis Arnall.

The "Lord" has been mighty good to the people of Georgia so far. Mr. Maddox only obligation as of now is only to "God and the People of Georgia."

Lets keep it that way by opening up our hearts and our pocketbooks and make contributions to support him in his Campaign.

Designate some-one in your department or your group with honesty and integrity to accept your contributions. Send name, address and where you work with the amount of contribution regardless of how large or small so long as it is from your heart and not one of a selfish interest.

TO YOUNG PEOPLE'S HEADQUARTERS
for MR. LESTER MADDOX
1809 Austell Road
Marietta, Georgia 30060

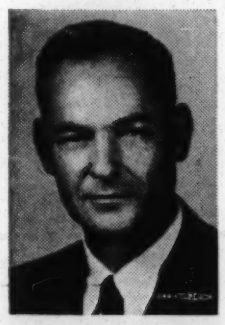
or phone 435-0202 and either Mr. Carl Couey or myself will be glad to pick it up. Or you can send it directly to the Atlanta Headquarter's:

Henry Grady Hotel
Maddox Headquarters
Peachtree Street, N.E.
Atlanta, Georgia 30303

This letter has been written by Austin D. Graham not as an act of selfishness or for personal Gain. My only desire is for all Georgia to be able to have a Governor free from the big politicians and the money men, with his only obligation being to "God and his Country". Mr. Lester Maddox is this man. He will be our next Governor. Let's all work for a greater and brighter tomorrow.

I am a Union Member and proud of it, but this is not a Union endorsement, this is a peoples' endorsement. You and I the working people of Georgia.

VOTE LESTER MADDOX — NOV. 8, 1966



Fraternally yours,
AUSTIN D. GRAHAM
Shop Steward 72-57

P.S. Already Mr. Lester Maddox has done more for Georgia than most Governors do in four years in office.

He has exposed Mayor Ivan Allen, Dr. Martin Luther King, Jr., Congressman Charles Weltner, and State Senator Leroy Johnson.

They have indicated that they might go fishing. I have a boat that I would like to lend them for the occasion. I haven't used it in years myself because it is a little rotten.

My only request is that they take "Big Daddy", Ralph McGill with them.

I will be glad to have some one to look after the boat where as we will be able to retrieve it from the bottom of the lake.

The boat would sure make a nice memorial for the occasion in memory of these fine Gentlemen.

"THERE IS NO SUBSTITUTE FOR THE TRUTH."

We, the Citizens of Georgia may be deplorable and ignorant, but let's show Mayor Ivan Allen, Dr. Martin Luther King, Jr. and Congressman Charles Weltner that we are not "Stupid" by voting Mr. Lester Maddox on November 8.

House Votes

1. 14(b) REPEAL (Procedural Vote)

THE BILL—HR 77, to repeal Section 14(b) of the Taft-Hartley Act.

THE VOTE—On a motion to take the repeal bill away from the Rules Committee and to bring it up for House action. **Approved,** 248-171, July 26, 1965. YEA—RIGHT. NAY—WRONG.

2. 14 (b) REPEAL (Effort to Kill)

For bill and background, see Vote 1.

THE VOTE—On a motion to send repeal back to committee, thus kill it. **Defeated,** 200-223, July 28, 1965. YEA—WRONG. NAY—RIGHT.

3. 14 (b) REPEAL (Passage)

For bill and background, see Vote 1.

THE VOTE—On passage of repeal. **Approved,** 221-203, July 28, 1965. YEA—RIGHT. NAY—WRONG.

4. MINIMUM WAGE

THE BILL—HR 13712, Fair Labor Standards Amendments of 1966.

THE VOTE—On a move, opposed by the AFL-CIO, to delay the second step of the increase—to $1.60 an hour—to Feb. 1, 1969 instead of Feb. 1, 1968. **Approved** 205-194, May 26, 1966. YEA—WRONG. NAY—RIGHT.

5. HOUSE RULES

THE BILL—H. Res. 8, to modernize House rules to prevent unnecessary delay in consideration of legislation.

THE VOTE—Resolution to limit Rules Committee ability to obstruct legislation to 21 days, and to institute other procedures assuring that legislation reaches the House floor for debate and vote. **Approved,** 224-202, Jan. 4, 1965. YEA—RIGHT. NAY—WRONG.

6. AID TO EDUCATION

THE BILL—HR 2362, Elementary and Secondary Education Act, to provide federal grants to states primarily to assist school districts with large numbers of children from low-income homes.

THE VOTE—On passage of the bill. **Approved,** 263-153, March 26, 1965. YEA—RIGHT. NAY—WRONG.

7. MEDICARE

THE BILL—HR 6675, Social Security Amendments of 1965, to provide health care for the elderly within the Social Security framework.

THE VOTE—On a motion to recommit, in effect to kill, the proposal. **Rejected,** 191-236, April 8, 1965. YEA—WRONG. NAY—RIGHT.

8. HOUSING DEPARTMENT, CITY AID

THE BILL—HR 6927, Department of Housing and Urban Development Act, to create a department to deal with city problems and represent urban citizens at the Cabinet level, as the Department of Agriculture represents rural citizens.

THE VOTE—On passage of the bill. **Approved,** 217-184, June 16, 1965. YEA—RIGHT. NAY—WRONG.

OFFICIAL AFL-CIO COPE VOTING RECORDS OF

ALABAMA

U.S. Senators & Representatives

89th CONGRESS, 1965-66

9. HOUSING, RENT SUBSIDIES

THE BILL—HR 14921, HUD Appropriations for Fiscal 1967.

THE VOTE—On a move to restore $20 million for rent subsidies for the poor. **Approved,** 192-188, May 10, 1966, YEA—RIGHT. NAY—WRONG.

10. VOTING RIGHTS

THE BILL—HR 6400, Voting Rights Act of 1965, to guarantee the right to register and vote of all citizens in all parts of the nation.

THE VOTE—On a motion to substitute a weaker proposal which would have been ineffective in protecting voting rights. **Rejected,** 171-248, July 9, 1965. YEA—WRONG. NAY—RIGHT.

11. WAR ON POVERTY

THE BILL—HR 8283, Economic Opportunity Act Amendments of 1965.

THE VOTE—On a motion to retain state governors' veto authority over federal anti-poverty programs cited above, and to chop urgently needed anti-poverty funds. **Rejected,** 178-227, July 22, 1965. YEA—WRONG. NAY—RIGHT.

12. PUBLIC WORKS

THE BILL—S 1648, Public Works and Economic Development Act of 1965.

THE VOTE—On an amendment, supported by the AFL-CIO, to increase annual public works funds to $500 million from $400 million—meaning more jobs and more needed projects—and to increase the number of areas eligible for public works grants. **Approved,** 196-194, Aug. 12, 1965. YEA—RIGHT. NAY—WRONG.

13. PUBLIC POWER

THE BILL—HR 11588, Flood Control, Rivers and Harbors Acts of 1965.

THE VOTE—On a move to assure pre-construction planning funds for the Dickey-Lincoln project. **Approved,** 166-162. Oct. 21, 1965. YEA—RIGHT. NAY—WRONG.

HOUSE VOTES, 1965-66—Roll call votes taken from The Congressional Record, official publication of the U.S. Congress. Votes judged RIGHT or WRONG on basis of official AFL-CIO position.

R means Voted Right or Paired Right

W means Voted Wrong or Paired Wrong

— means Absent or General Pair

*** means before taking office**

Congressional District	Edwards (R) 1	Dickinson (R) 2	George W. Andrews (D) 3	Glenn Andrews (R) 4	Selden (D) 5	Buchanan (R) 6	Martin (R) 7	Jones (D) 8
1. 14(b) Repeal (Procedural Vote)	W	W	W	W	W	W	W	R
2. 14(b) Repeal (Effort to Kill)	W	W	W	W	W	W	W	W
3. 14(b) Repeal (Passage)	W	W	W	W	W	W	W	W
4. Minimum Wage	W	W	W	W	W	W	—	W
5. House Rules	W	W	W	W	W	W	W	R
6. Aid to Education	W	W	W	W	W	W	W	—
7. Medicare	W	W	W	W	W	W	W	R
8. Housing Department, City Aid	W	W	W	W	W	W	W	R
9. Housing, Rent Subsidies	W	W	W	W	W	W	W	W
10. Voting Rights	W	W	W	W	W	W	W	W
11. War on Poverty	W	W	W	W	W	W	W	R
12. Public Works	W	W	W	W	W	W	W	R
13. Public Power	W	W	—	W	W	W	W	R
RIGHT	0	0	24	0	25	0	0	57
WRONG	13	13	48	13	44	13	12	16

SUMMARY of 77 VOTES, 1947-1966—Including the 13 votes listed here, COPE has issued Voting Records on 77 issues acted on in the U.S. House during the last 20 years. Totals vary according to Congressman's length of service.

Mr. Humphrey

Humphrey to huddle with MNPL planners

Vice President Hubert Humphrey will headline an all-star speakers' bill when the Machinists Non-Partisan Political League's National Planning Committee meets in Washington, D.C. next week.

Roy Siemiller, MNPL national chairman, announced that the Vice President will be the breakfast speaker on the final morning of the five-day session. In addition, Mr. Siemiller reported these other highlights of the program:

High officials of the national committees of both political parties will speak. These include John Bailey, Democratic national chairman, and A. B. Hermann, special assistant to Ray Bliss, national GOP chairman.

Congressional leaders

A galaxy of Congressional leaders will address the group. These include U.S. Sen. Gaylord Nelson of Wisconsin, a member of the Senate Labor Committee. He will discuss labor legislation expected in the Senate.

The new House Labor Chairman, U.S. Rep. Carl Perkins, will deal with the House half of the same topic. So will U.S. Rep. Frank Thompson of New Jersey, chairman of the liberal Democratic Study Group who also heads the Special Labor Subcommittee dealing with labor law. Andrew J. Biemiller, AFL-CIO legislative director, will also speak.

Phillip A. Stern, author of the recent book, *The Great Treasury Raid*, will discuss loopholes in tax laws benefiting the wealthy, the subject of his book. (See Page 1).

Alexander Barkan, national director of the AFL-CIO's Committee on Political Education, will head a COPE panel analyzing the last election and plans for the next.

Two good friends of labor, U.S. Rep. James Corman of California and former Rep. John Gilligan of Ohio will detail what happened to them in November. Corman won and Gilligan lost, narrowly.

MNPL Co-Chairman Matthew DeMore will discuss the MNPL's program for retired union members. He will also lead a panel discussion on how to interest every member of union families—young and old—in political questions.

Panelists will include Esther Murray, COPE women's activities director; James C. O'Brien, of the National Council of Senior Citizens; and Spencer Oliver, national vice chairman of the Young Democrats.

Another panel session will discuss methods of strengthening ties with allies having interests parallel to labor. Representatives of farm, social welfare and minority group organizations will speak.

The 57 Planning Committee members will go over MNPL goals with members of the IAM Executive Council at a Thursday luncheon session, prior to submitting recommendations Friday.

A reception for Senators and Congressmen from Planning Committee members' home states will also be held.

Reports on MNPL

MNPL Co-Chairman Ross Mathews will keynote the Monday opening session. W. G. Flinn, MNPL secretary-treasurer, will report on the MNPL's 1966 Campaign Fund drive, best in the League's 20-year history. Vernon Jirikowic, MNPL vice chairman, has been named presiding officer for the conference assisted by Don Ellinger, national director.

Two Planning Committee members named since THE MACHINIST announced appointments two weeks ago include James Iafelice, president of IAM District 54, Cleveland, Ohio, and Robert H. McClure, president of IAM Lodge 1590, Rutland, Vt. Grand Lodge Rep. Robert Brown will represent IAM Vice President Floyd Smith of Cleveland instead of Grand Lodge Rep. Tom Ducy, as previously reported.

HLCIO 2/11/67

Chemical Union Breaks Discrimination Barrier

Clarksdale, Miss.—The Chemical Workers broke the racial discrimination barrier in a first contract with the Planters Mfg. Co., a cottonseed oil firm whose predominantly Negro work force voted for union representation nearly three years ago.

In the course of the successful, uphill fight for equal job rights, the Chemical Workers established the precedent that a union—as well as aggrieved workers—can bring a complaint under the Civil Rights Act. The Equal Employment Opportunity Commission first said a union couldn't be a complaining party, then reversed its ruling after the Chemical Workers initiated a federal court suit against the company.

Judge Claude S. Clayton of the U.S. District Court for Northern Mississippi upheld the union's complaint of illegal race discrimination at the Mississippi plant and ordered the company to bargain with the union to remedy the conditions.

After the company complied, the judge ruled that the contract negotiated with the Chemical Workers

(Continued on Page 2)

Planters Pact Ends Pattern Of Job Bias

(Continued from Page 1)

"remedied" the discriminatory conditions which violated the 1964 Civil Rights Act.

The new three-year agreement, approved by Judge Clayton as meeting the terms of his order, incorporates the no-discrimination provisions of Title VII of the Civil Rights Act.

Jobs Upgraded

It also provides job upgradings and non-discriminatory seniority provisions including preference for present employes over new hires for any job within the plant.

At the time the ICWU won bargaining rights, none of the 95 Negro workers earned as much as any of the 20 white workers, and only five were paid above the federal minimum wage.

Under the new agreement, more than half the Negro workers are moved to higher pay grades and seven will be advanced to pay parity with white workers.

The union's civil rights complaint charged that Negro workers received only four days of vacation a year, contrasted with two weeks for white workers. The new agreement sets a uniform standard of two weeks vacation after four years, with one week for lesser service.

Pay Grades Established

A system of 10 labor grades was negotiated by the union, resulting in the large-scale upgradings.

The ICWU said that before the agreement differentials for skilled or semi-skilled jobs performed by Negroes were no more than 5 cents an hour over the base rate. Under the new agreement, differentials up to 23 cents an hour are provided.

Periodic pay raises are provided through the life of the contract and the ICWU put a 50-cents-an-hour price tag on the value of the contract.

ICWU Pres. Walter L. Mitchell noted that the case overturned a pattern of discrimination in which jobs were divided into "white" and "Negro" categories and Negroes were paid at a lower rate than the skills would justify.

Coalition 2/67

Albany — Firemen and Oilers
Turky To (or Bailey)
Sey supplies Kroger

SNCC	Union
Ward	Holmes
Boone	B.A - Athlete
Bennett	

Al K. had suggested two RTs types diff from SN, other Wildcat was turned by Holmes to official — to. had been "evading" union gains — Union went out on an UAP strike, but had not tried Arb.

SNCC agreed to come in for sup. & P.L. supply Prudential Tur, Ller asked for $75/day/each

Had not received as much from RWDSU, TWUA(?), L Wheel Ward

A.K. said: let 'em go — so they spent 2-3 days

SNCC had helped out 2 yrs ago to persuade to ("threatened" (?) s.t.-in) to bargain after election was won —

ATLANTA PUBLIC SCHOOLS

Atlanta, Georgia

TO: Atlanta Local School Blue Ribbon Entries in the Atlanta Regional Social Science Fair

FROM: Social Science Fair Committee

We congratulate you on developing a blue ribbon social science project.

You will want to know the procedure for setting up your project and for removing it. Please follow these directions very carefully.

1. Projects must be set up at the Atlanta Instructional Services Building, 2930 Forrest Hill Drive, S.W., on Friday, March 3, between 12:30 p.m. and 8:00 p.m. Please do not come at any other time.

2. Please bring your own card table. We cannot provide tables.

3. No project may be removed from the Fair until after visiting hours on Sunday and will have to be removed by noon on Monday, March 6.

4. Report to registration desk in lobby, register your project, receive your space assignment and locate your space before bringing your project into the building. If you follow this procedure, you will not risk damaging your project in the crowded lobby.

The Atlanta Schools and the Social Science Fair Committee are not responsible for equipment or damages. There will be personnel serving as hosts when the building is open to the public.

The procedure for blue ribbon projects to be entered into the State Fair, March 15, 16, and 17 at Georgia State College is as follows:

1. The Fair Committee will fill out and file with the State Committee the duplicate State Fair entry blanks for the possible 18 Regional blue ribbon projects and the research paper in Group III.

2. These project winners will be notified by the State Committee as to time, place, etc.

3. Your project may be improved between the Regional and the State Fair.

If you have questions, please call Mrs. Moon's office, 761-5411, ext. 236. There will be someone available Wednesday, Thursday, and Friday to answer them.

JRM:lr
February 27, 1967

I-75, Cleveland exit, west, after I-85 split

Coalition
Fringes
(also add CCAP &
Rural
Training
Project)

UAW WASHINGTON REPORT

printed every Friday in Washington, D. C.
by UAW Citizenship-Legislative Department

Vol. 7, No. 10 — March 6, 1967

United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW, AFL-CIO

War on poverty lets poor help themselves and trains them to help their neighbors. They often make better social workers than professionals—because they know slum problems from bitter, first-hand experience.

War on poverty is more efficient than space program

The war on poverty is a lot more successful and efficient than our space program. That's what many observers across America are saying, as the poverty program moves into its third year of operation.

"It cost taxpayers tens of billions and took a decade of failures just to get an unmanned space capsule off the ground," says one poverty field general, "and they're still maybe five years from the moon.

"But we get blamed for not being able to wipe out every last trace of poverty, crime and unhappiness in a year or two—with less than a third of the space budget to work with.

"Just a few weeks ago, I was out talking to a PTA group," he went on, "explaining to them how our program works. After I finished talking, I asked for questions. One man said, 'Look, why don't you stop monkeying around with all this fancy give-away stuff and just start training people and finding them jobs?'

"I guess most people still don't know that we're not a welfare agency. We don't give away one red cent. The poverty program does exactly what that man thought it should, and a lot more besides. But you can just spread our budget so far."

One of the biggest boosts the program has gotten came through an amendment to last year's poverty bill. Proposed by Cong. James Scheuer (D-NY), it called for a $75 million public services job program.

(Continued on page 2)

Sign on the door promises help in English and Spanish. New breed of case worker inside neighborhood poverty center keeps that promise.

Why hire a man who's never worked?

BRONX, NEW YORK—

Many of the residents of a Bronx slum who have been hired by a community mental health project have never gone to high school. Some have never had a job and others have lived off welfare for ten years.

But here's what project administrators have to say about their job performance: "The consensus is that the aids provide a remarkable amount of service. Most importantly, they can draw residents with problems to our center—something we could never do."

Estimates are that the center sees 6,600 new clients each year. There are an average of four persons to a family in this area of the Bronx. So, through the work of "people who've never worked", the center is able to touch the lives of more than 24,000 different lives each year.

SCHEUER

The Scheuer Amendment

NY Cong. James Scheuer's plan to employ bottom-of-the-barrel slum dwellers is now officially part of poverty law. 8000 of America's neediest will soon be helping all of us as aids in hospitals, schools, and libraries. Plan will cost $36 million this year, but will quickly pay for itself by lowering welfare costs and increasing tax revenue.

"The public services job program holds out two keys to open the double lock of poverty: a job and a productive career for every unemployed person who wishes to become independent and self-supporting; and a radical improvement in the quality of our education, health, welfare and crime prevention services."

—NY Cong. Scheuer, October 7, 1966

"Watts, Harlem, Cicero and San Francisco tell us the same story—that the stultifying effects of long-term unemployment are among the major root causes of poverty. Unemployment among Negroes is two to four times as high as among whites. Never in a generation has it been this bad. And the gap is not narrowing; the gap is growing."

—Cong. James Scheuer (D-NY), October 1966

(Continued from page 1)

"Up until now," Scheuer told the House of Representatives last fall, **"the poverty program has concentrated on poor people who could learn a skill in a relatively short time. It has trained thousands of them, counseled them, given them other services they need to be employable—like medical care or legal aid—and found them jobs. This is good, of course, but we also have to do something for the tens of thousands of people who simply can't be trained overnight."**

The Scheuer plan, to which Congress finally appropriated $36 million, will create public service jobs for about 8000 men and women—many of whom are now on the welfare roll. "In addition to taking them off relief, the program will help them become taxpayers and, at the same time, provide many of the extra services our cities need so desperately," the Congressman says.

Last year the National Commission on Technology, Automation and Economic Progress estimated that 5.3 million new jobs could be created through public service employment. The greatest needs were in hospitals, welfare and police departments, schools and urban renewal programs.

With a budget of only $36 million for the whole country, Scheuer's program can't hope to solve the entire unemployment problem. But it will prove once and for all what many experts have long maintained—that the poor would much rather work than live off welfare payments.

Conducted jointly by the Office of Economic Opportunity and the Labor Department, the new careers program will seek out the hard-core unemployed and place them in on-the-job training programs with a variety of public and non-profit service agencies. The federal government will pay 90 percent of their wages, with the understanding that the agency will put them on its payroll after they learn the ropes.

Opponents of the plan argued that it would cost too much and that the new careersmen's jobs would be just a waste of time. But the project's economics are sound and the jobs it creates will fill serious gaps in our present system of public services.

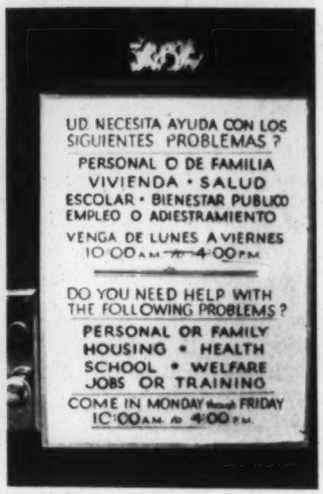
Suppose a new careersman goes to work as a hospital assistant at $2 an hour. He'll make $4000 a year and pay back between $600 and $800 of it in taxes—to the city, state and federal government. After he learns his job well enough, he'll go on the hospital's regular payroll and continue to pay taxes.

In about five years—perhaps less if he moves up to a better-paying job—he'll have more than paid back America's investment in him. And, instead of taking his city's welfare, he'll be contributing to it.

Not all the program's participants will move up and out of the program, of course. Some are already too handicapped by years in the slums. But one of the program's sternest rules requires that every job be in an area of severe public need.

With a critical shortage of teachers, nurses, medical technicians, policemen and social caseworkers, it won't be hard to find jobs to fit the legislative requirements, though. The new employees will handle many of the routine, efficiency-shattering duties that now harass nurses, teachers and other professionals. This will release them to spend full time doing what they were trained for.

(Continued on page 3)



The Teacher Corps

Important, successful part of assault on poverty, Teacher Corps gives poor kids good education — and chance to play on grass, not cement. America is willing to invest tens of billions to maybe get to the moon—but Corps has to struggle along, trying to do man-sized job with peanuts.

(Continued from page 2)

On some of the new jobs—especially in social work—the hard-core unemployed will actually be able to work as well as or better than trained professionals. Take the community mental health centers in the south Bronx, New York slums, for instance.

Dr. Harris Peck, operating on a demonstration grant from the National Institute of Mental Health, has been hiring the poor to help the poor for over a year now. What makes his center unique, he says, "is its non-professional personnel. Each center has from five to ten mental health aids, recruited from the surrounding neighborhood.

"Because they share the same way of life as their clients, the aids are indispensable not only to fill manpower shortages, but as crucial links between the residents and the mental health professionals.

"They interpret each to each other and, by lending a less bureaucratic tone to the centers, they help reduce the understandable reluctance of the poor to become engaged with yet another professional, establishment organization."

With crime on the rise in most of our cities and suburbs, the precious-few policemen we have shouldn't have to waste their time writing parking tickets or doing the dozens of other annoying tasks that keep them away from their beats. Use of new careersmen as clerks, to control parking, or to report abandoned cars and litter would free highly-trained officers for more valuable work.

Opening free day care centers for the children of parents who want to work or train but can't afford a baby-sitter would also create thousands of new jobs—and enable the parents to go to work as well.

The more Cong. Scheuer's plan is studied, the more sense it makes. Jobs are not the only answer to poverty, of course. But with back up services from already-going efforts like the community action program, Headstart, free medical clinics and family counseling, the new careers program will give poverty fighters the one tool they've been missing.

Taxpayers - not tax eaters

Detroit's Adult and Youth Employment program started last fall with $850,000 of war on poverty funds. It has already paid for itself by increasing tax revenues and lowering welfare costs.

1270 hard-core unemployed—many welfare longtimers—have already gone to work for private employers thanks to a hard-hitting team of job placement specialists hired by the poverty program.

The new workers will pay a total of $680,000 worth of taxes this year alone. And, by getting off welfare, they'll save Detroiters another $250,000.

WEEKEND WRAPUP

Washington has many moods these days. There are flashes of great optimism about the future, and fits of the most abject depression. The war escalates again—Sen. Bob Kennedy brilliantly pleads for an end to bombing North Vietnam, while Administration insiders passionately argue the domino theory and warn Asia will collapse if we don't stand firm. The daily gore occurs thousands of miles away, but it unnerves even the hawks. There are rumblings of a possible recession while U. S. economy booms at a slower pace. Congress bitterly bounces Adam Powell from his seat. He'll be re-elected again and again and court battles will rage for years. There's faint talk of getting an ethical code for all congressmen. Conscience-stricken Congress may finally button up loose ends of its own behavior. How goes the big problems? Poverty? Pollution? Rotting cities? Urban sprawl? What's with them? The White House sends massive, plainly-spoken messages to Congress—and there they wait for action. Congressional committees buzz with activity—but over their heads hang those billion dollar price tags for schools, cities, and clean air which blind these new breed Republicans—cocky and glib about what's wrong, with no urgent feel for forging ahead where mighty 89th Congress last year so nobly did its duty for future generations. . . . Approval of the **US-Soviet consular treaty** appears headed for Senate approval. It's not much, but it's a landmark and rightwingers are frantically trying to "mccarthy" Congress against it. . . . Labor movement suffers image problem among young people. This nags thoughtful people in and out of AFL-CIO ranks. Nearly half U.S. population is under 25 years of age. During past three years, 42 percent of UAW membership (549,000) came into union ranks as new members, while 250,000 old-timers retired. They don't remember Battle of Ford Overpass. The Depression and Wagner Act are ancient history. They were in swaddling clothes during World War II. They barely remember Korea. . . . Notes from huckster lane: **Total US tab for advertising** last year was $16 billion—that's 8 percent over 1965. That's an awful lot of bone-rattling commercials for headache pills and shaving cream. . . . Americans lost two creative philanthropists when **Mr. and Mrs. Stephen Currier** disappeared at sea recently. They made no big splash with their generous gifts. The millions they gave will brighten many cities and hearts for many years to come. They were young, they were rich—their impact on their country was great. . . . **California's Chet Holifield** is a homespun liberal. He's a respected dean of the Democratic Study Group, a liberal with long seniority who speaks his mind. Last week he exploded during a hearing on a proposed $91 million to start man to Mars: *"I'm getting colder and colder to these programs even though my state gets 50 percent of space contracts and I'll probably get a lot of letters for saying it. But I'm getting just a little sick of this billion here, billion there only to satisfy intellectual curiosity. After they get to Mars they'll want to go to some other planet, whatever the hell it's called. I wish you had to go to my district every two years and try to sell them on this. Tell them they have to put up with a double school session and take Jenny to class at 6 o'clock in the morning. My people are getting a little tired of it all, too. They're up to their ears in taxes and what are they getting? We've got 190 million people out there that need hospitals and schools and other things."* . . . Congress is racing to get national trails and wild rivers bills passed. Pennsylvania's Sen. Joe Clark this month begins hearings on war on poverty. There's new congressional look-see at $17 billion government spent yearly for research. Big labor rallies around U.S. major cities this month for higher Social Security benefits.

"Mr. Gardner Ackley (chairman of President's Council of Economic Advisers) is not only unrealistic, his whole attitude on the escalator clause is unworkable." . . . "He doesn't have to sit at any bargaining table. He is very fortunate in that respect. He will live a very cloistered sheltered life. But I can tell him that wage earners are not going to say 'It is too bad, we are going to have to take a 50 percent loss in our real wage position because of inflation.'" . . . **"They are going to fight to make it up. That is what happened in the airline strike. The fight there was about catch-up money. And it is unrealistic to believe that wage earners are going to look at the distribution of national income and see everybody going through the stratosphere and then say they can only have 50 percent of their catch-up money for escalation."** . . . "I think industry has to make up its mind. Ten years from now, what kind of workers do you think G. M. will be employing. **They aren't going to be immigrants out of Ellis Island coming over here with a loaf of pumpernickel bread stuffed in their jeans.** They are going to be fellows with a 2- and 3-year college education. Their whole relationship about their employer is going to be quite different. And we keep looking backward when we are talking about tomorrow. We have got to look ahead." . . . **"This is why in 1967 we are going to abolish—we have made this very clear—the hourly rate system in the automobile industry. This idea of paying the worker by the tenth of the hour is an old concept that came out of the early beginning of the industrial revolution. We are going to put everybody on a salary, because the dignity and the whole relationship has got to change, and we are going to do it."**—*UAW President Walter Reuther before Joint Economic Committee last week.*

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UAW Washington Office, 1126 16th St., N.W., Washington, D.C.

UAW-VR
LABOR PROGRAM
SOUTHERN REG COUNCIL
5 FORSYTH ST N W -ING
ATLANTA GA 30303

THIS WEEK

Highly successful poverty war will get help from Scheuer plan

NEWSPAPER

SECOND CLASS POSTAGE
PAID AT WASHINGTON, D.C.

SOUTHERN OFFICE
ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH
41 EXCHANGE PLACE, S. E., ATLANTA, GA. 30303
523-3391

Dr. Emory Via, Southern Regional Council

Emory, I thought this would be of interest to you. Garry Wills is Professor of Classics at John Hopkins University, and his column widely carried in the Catholic press.

Regards,
Betty

Betty Cantor

Coalitions

SOUTHERN OFFICE

FILE

PUB. Georgia Bulletin

CITY Atlanta

DATE 3/23/67

FYI to

MEMO to

A Hellish Trinity? Baby, It's Coming!

Atlanta Georgia Bulletin March 23, 1967

By Garry Wills

Some read the Birch publications to enjoy a liberal frisson -- anticipating masochists who feel already the jackboot heeling down on them. But I read the pamphlets I run across primarily for laughs. Mr. Welch is now, for instance, explaining why the Communists -- who want us in Vietnam so taxes (and socialism) will go up, morals (and morale) go down -- sent their "fronts" out to demonstrate against the war, thus tricking us into thinking they oppose it, making us, therefore, espouse it. That is, the Communists are using our government's anti-communism (which most of the time Mr. Welch is assuring us doesn't exist) for their own purposes, and Welch somehow dances over to the side of those liberals who say Lyndon Johnson is a murderer of American boys. It is a great routine, and Mr. Welch is fun to watch -- a kind of mental Plastic Man.

WILLS

But the March issue of the Birch magazine American Opinion is a different matter. There is a review in it which is enough to scare anyone. It is an analysis, carried through with the febrile deracinated insight some Birchers achieve, of the phenomenon of George Wallace. Wallace, we are told, is the Coming Thing, though the author is a bit unhappy at his pro-welfarism. He is willing to swallow what Birchers normally call a form of socialism, however, in order to get Wallace's patriotism and anti-communism into the White House. And to accomplish that, welfare is the key ingredient.

Where do you find patriotic nationalism, anti-communism, resentment of the Negro, and a desire for heavy welfare programs? In the rank and file of the labor unions. The author argues that other right-wingers have been unable to tap the unions' strength because they were out of sympathy with the welfare demands of today's working class. Wallace is not unsympathetic to those demands, and never has been -- and the Bircher hints that his fellows had better overcome their aversion to "the dole" if they want to climb aboard the winner's train.

The scary thing about all this is the uneasy memory that Hitler rose on the force of just such a hellish trinity -- nationalism, racism, and socialism. The author does not shrink from recognizing this fact -- he does not ever regret the comparison. After all, Hitler did rise, didn't he? And think of the gains! The author blissfully dreams of the day when Wallace will heal the national schizophrenia by "politically liquidating the Establishment." (When he saw that passage, a conservative friend of mine said, "This is what they really want -- and they'll skip the adverb"). Here is the Bircher's vision of the new goose-step: "Wallace and homo Americanus vulgaris Caucasianus versus Reuther, Rockefeller, and Martin Luther King. Talk about realignment! Baby, it's coming!"

Frightening isn't it? If the shrewd imperturbable Wallace can extend his tentacles out from the South through the labor unions, if Bircher kooks can forget their ideological purity and start plotting the compromises necessary for a takeover, if the working man's patriotism and anti-communsim can be mixed with the poison of racism, it could happen here. The trains could be made to run on time -- and the kilns.

Coalition

WRITE-IN, GEORGIA
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear fellow Georgian: April 8, 1967

The general election last fall produced one of the greatest "grass-roots" protest votes in the entire history of Georgia State politics - or, for that matter, in the entire United States. Well over 100,000 Georgians, in the face of enormous obstacles, declared they wanted neither the "lesser" evil, nor the other one. Little has happened since November to challenge the validity of the "Write-In, Georgia" movement.

Since November, it has become increasingly clear that the large write-in vote was not a one-shot, flash-in-the-pan phenomenon. From all over the state, inquiries have flowed in about what can be done to translate the write-in movement into a viable, year-round force in Georgia Democratic Party affairs.

The Executive Committee of Write-In, Georgia has held a number of in-depth discussions on this topic and suggests the following plan of action:

1. A state-wide rally will be held on Saturday, May 13, at 8:00 p.m., the Biltmore Hotel, Atlanta, Georgia.

2. The purpose of this rally will be:
   a) to record the contribution to good government made by Write-In, Georgia, to settle up the financial and other business affairs of Write-In, Georgia, and pay tribute to the thousands of citizens who made up Write-In, Georgia, and

   b) to make plans for an on-going state organization of moderate, loyal Democrats interested in progressive government, tentatively being called the Georgia Democratic Party Forum.

This will be an opportunity to meet again your fellow Georgians who worked with you in Write-In, Georgia. It will also provide you with the unique challenge to help build a moderate and progressive voice within the Georgia Democratic Party.

You can help specifically by doing the following:

1. Hold meetings with those active last fall to make sure you have a good delegation for the 13th.

2. Elect at least 2 representatives to come to a planning luncheon at 1:00 p.m., on May 13 at the Biltmore. Please send the names of those elected to us as soon as possible.

3. Read and discuss the memorandum on the back of this letter, which spells out the main thrust of the Georgia Democratic Party Forum in greater detail.

4. Make sure that the May 13th Rally is well publicized in your community.

5. Duplicate this letter, and any other notice of the Rally you may wish to draw up, and get it into the hands of as many people and organizations as possible.

6. Get the May 13th Rally announced in your local papers, and on radio and TV.

We look forward to being with you on May 13th at this historic Rally.

Yours for Good Government,

/sjs
opeiu #21
afl-cio

The Executive Committee

M E M O R A N D U M April 8, 1967

In order to provide moderate, loyal, Georgia Democrats with an opportunity to be politically active within the Democratic Party, it is proposed that a state-wide organization called the Georgia Democratic Party Forum be set up along the following lines:

1. A statement of organizational principle should be drafted which clearly identifies the Forum with the National Democratic Party and the high ideals of such leaders as Franklin D. Roosevelt, Harry S. Truman, Adlai Stevenson, John F. Kennedy, and Lyndon B. Johnson.

2. This statement of principle, together with a call to a state-wide organizational conference, should be sent throughout the State and endorsement received from as many local political leaders as possible.

3. Purpose of this state-wide conference would be three-fold, a) to draft a State Democratic Party Forum program stated in terms of Georgia's needs and problems, b) to organize the Forum structure on a district-by-district basis and elect a State Steering Committee, c) to encourage individuals to take an active part in Georgia Democratic Party affairs, and to be paid members where such paid membership is available (as, for instance, in the Fulton County Democratic Party).

4. A drive be initiated for a budget sufficient to open a State office with staff.

5. That district, county, and state machinery be carefully established (for example, care be taken that delegations be fully bi-racial), so that we will be ready to work actively on behalf of the National Democratic Ticket in 1968.

6. That local and district units be encouraged to serious year-round study, research, promotion of policies, legislative activity, and action projects in keeping with our State Program.

7. That local and district units engage in year-round voter registration, education, and recruitment.

For Further Information Call:

E. T. Kehrer, Area Code 404 - 525-8549

John Morris, Area Code 404 - 255-0778

ETK/JM:sjs
opeiu #21
afl-cio

Coalition

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

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WILLIAM POLLOCK

815 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006

PHONE: NATIONAL 8-3870

May 5, 1967

Dear Friend:

Enclosed is a copy of the President's message concerning the 1967 Civil Rights Act as reproduced in pamphlet style by the NAACP. I think you will find this message both informative and useful.

The two newspaper articles are included for your information. It is noteworthy that the Clay story appeared on the front page of the Sunday edition of the paper. The report of the Flowers speech took a back page a couple weeks later. It happens all too often!

If you would like additional copies of any of these articles, we have them on a limited basis.

With good wishes.

Sincerely,

Don Slaiman

Don Slaiman
Director
Department of Civil Rights

DS/jg
opeiu #2 afl-cio
enclosures: (3)

WASHINGTON POST

May 3, 1967

Flowers Criticizes Carmichael, King In Howard Speech

By Paul W. Valentine
Washington Post Staff Writer

Richmond M. Flowers, Alabama's former attorney general, told a Howard University crowd yesterday that Stokely Carmichael has betrayed Negro interests and Martin Luther King Jr. is wrong to oppose the war in Vietnam.

The racial moderate, who lost a bid for the Alabama governorship last year to Mrs. George Wallace, received a standing ovation from the predominantly Negro gathering after a speech in which he called Carmichael's draft-card-burning exhortations "almost treasonous," compared Carmichael, a black power advocate, to George Wallace and suggested that the two men run on the same ticket for President and Vice President.

"I do see a very close parallel with such a leader defying a draft notice and the Governor of a state standing in a schoolhouse door in defiance of a Federal court order that admits a qualified citizen of that state to the state university and attempts to exclude her for the sole reason that she is a Negro," Flowers said. "Defiance is defiance whether you are defying a draft notice or a Federal court order."

He added, "I would strongly suggest that Stokely Carmichael enter himself in the vice presidential race and run on a ticket with George Wallace because through his present behavior he is doing more to aid and advance the Wallace cause than any other individual in the country."

"The ghetto Negro and the high school dropout simply cannot distinguish the fine line of difference between Black Power and Political Power," Flowers said. "All power means to him is physical force, and when his leaders advocate any kind of power he is stirred into a dangerous and destructive crowd that puts itself completely above the law."

Carmichael "has completely turned his back upon the best interest for the advancement of the black man," Flowers said, "and reverted to the typical demagogue that sacrifices everything and everybody to foster his personal aggrandizement. Black power, defiance and black supremacy are just as immoral and illegal as white power, defiance and white supremacy."

RICHMOND M. FLOWERS
. . . sees Negro betrayed

Flowers praised Dr. King for his contribution to civil rights but said he has erred in linking the rights movement with the anti-Vietnam war movement.

"There is no connection," he said, "and I fear that certain leaders have taken this attitude in order to keep themselves in the news rather than spending their energies to improve the Negroes' position in this Nation . . . Dr. King's actions today render the Southern white man of reason, who is willing to work toward better understanding, practically strengthens the hand of the racist segregationist."

800 at Howard U. Cheer Clay As He Preaches 'Black Is Best'

By Matthew Lewis—The Washington Post

Muhammad Ali — or Cassius Clay — is central attraction at Howard University.

By Hollie I. West
Washington Post Staff Writer

Heavyweight boxing champion Muhammad Ali went to Howard University yesterday and preached a black power sermon to more than 800 students who shouted a joyful approval of his pro-black statements.

"All you need to do is know yourself to set yourself free," said Ali, otherwise known as Cassius Clay.

"We don't know who we are," he said. "We call ourselves Negroes, but have you ever heard of a place called Negroland?"

Speaking under sunny skies from the steps of Douglass Hall on the University quadrangle, Ali said he wanted to show Howard students "black is best."

"Black dirt is the best dirt," he said. "Brown sugar causes fewer cavities, and the blacker the berry, the sweeter the juice."

In contrast, Ali, a Black Muslim minister, said "the white man tries to show white as all-good."

"All the good cowboys ride white horses," he said. "Angel food cake is white and devil's food cake is chocolate."

Shouts of "Tell it like it is" or "Hear the word" popped from the crowd.

The afternoon rally was a festive occasion for many. Ali's bodyguards had difficulty keeping the surging crowd back from the champion at several points.

Several students—male and female sporting Afro natural hair cuts—wore bright orange and green Agrican togas and shawls.

Some conspicuously carried copies of "The Wretched of the Earth," a call to arms for the Afro-Asian world by the late Algerian writer Frantz Fanon.

Ali asked the students to "seek out" the teachings of Elijah Muhammad, national leader of the Black Muslims.

"The honorable Mr. Muhammad is preaching the bol truth," said Ali as he waved copy of Muhammad's bool "Message to the Black Man i America."

Salesmen On Move

Nattily dressed Black Mu lims immediately set out i efforts to sell the student copies of the book and "Mu hammad Speaks," the officia Black Muslim newspaper.

Ali asked the students t tions from government head of Moslem countries.

"I am the brother of mor than 600 million followers of Allah," he said. "You are living in the last days of hell in this country."

At the end of his speech, Ali, in an off-key voice, performed a verse-song called "A White Man's Heaven is a Black Man's Hell." The recitation drew thunderous applause

A $1,000 Volunteer

In a brief question-and-answer period, William Battle, of 1444 W st. nw., volunteered to take Ali's place in the Army for $1000.

"No, brother, your life is worth more than $1000," the champion said.

A group of students intermittently chanted a slogan popularized by black power advocate Stokley Carmichael, "Hell no, we won't go!"—meaning they wouldn't go to Vietnam.

Ali, currently embroiled in Selective Service problems, is scheduled to be inducted into the military April 28 in Houston.

Yesterday, he reiterated a statement he made last Thursday in Louisville, when he said he would not enter the Army "under any circumstances."

Long Autograph Session

Ali autographed copies of the Muslim newspaper for an hour and 15 minutes after his speech.

"I must have signed more than 850 papers," he said later.

When a crowd of students pressed toward him on his arrival on campus, the prizefighter, carrying a stack of papers, said, "I ain't doing nothin' but selling 'Muhammad Speaks' newspaper."

This week's copy carries the headline "Justice on Trial" and shows a Negro telling an evil-looking Uncle Sam that jail is better than going to war.

Following his Howard appearance, Ali made a brief stop at 12th and U Streets.

"He Sure Is Fine"

A woman rushed out of a nearby beauty shop with her hair rolled up to meet the champ.

"He sure is fine," she exclaimed, while rubbing his hand.

"Be good now, I'm your brother," he cautioned her.

After 10 minutes of autograph signing, Ali's entourage sped to the Washington Hilton Hotel, where he is staying.

He is scheduled to tour the Lorton Youth Center this morning and deliver the regular 2 p.m. Sunday sermon at the Muslim Mosque, 1519 4th st. nw.

Dr. Nathan Hare, assistant professor of sociology at Howard, called the turnout for Ali "tremendous." He said Ali "got more student response than any other black power spokesman who's appeared at Howard."

Hare is spokesman for the Black Power Committee, sponsoring group for the rally.

No Metropolitan police were at the rally. Police authorities said six policemen of the Civil Disturbance Unit were standing by at the 13th Precient station. Two University security guards were on duty.

WASH. POST

4/23/67

5-14-67

Labor-Civil Rights Alliance Growing in Dixie

ATLANTA, Ga. (PAI)—It's receiving few headlines but organized labor in the South, playing an active role in the civil rights movement, is helping to create a whole new group of inter-racial leaders in the states of the old Confederacy.

Much of this is being made possible by a close working relationship between the labor movement and a new group, the Scholarship, Education and Defense Fund for Racial Equality, Inc. (SEDFRE).

The executive director of SEDFRE, Marvin Rich, believes that "the newly enfranchised Negro in the South and the labor movement are natural allies."

Rich declared that the cooperation of the labor movement with SEDFRE in its leadership training program was a positive step and should help stimulate further projects at the grass roots level, particularly in the area of citizenship education.

Labor staff members such as Fannie Neal and Earl Davis of COPE, Norman Hill, Legislative Representative of the AFL-CIO's Industrial Union Department, Horace Sheffield of the United Automobile Workers, Tony Marino of the United Packinghouse Workers, and Dean Culver of the United Furniture Workers are now serving on SEDFRE leadership training faculties.

"These men are helping to develop year-round projects in citizenship education," Rich said, "and more important are aiding SEDFRE in developing issues for the community, getting out the vote and even dealing with such basics as instruction in the operating of voting machines."

Working in cooperation with labor and the Southern Regional Council of Atlanta, SEDFRE's workshops have helped Negroes:

1. To develop a practical understanding of the functions and responsibilities of city, county, and state government offices;

2. To introduce participants to the structure, policies, platforms, and personalities of American political parties;

3. To develop skill in the ways and means of effective political campaigning.

SEDFRE's executive director stressed that the organization's leadership workshops were carried out on an interracial basis and that the labor organizers were working in the same way. There are now nearly 3 million registered Negro voters in the South and some 7,500 local community civil rights groups throughout the nation with which SEDFRE and labor can work, Rich said.

May 14, 1967

The Bessemer Voters League

REPORT

No. 1, May, 1967

ASBURY HOWARD
President

REV. LEON GLOVER
First Vice-President

WILLIE DAVIS
Second Vice-President

MRS. L. J. WHITE
Secretary

MRS. PEARL SMITH
Treasurer

MRS. HELEN COOLEY
Assistant Secretary

Despite Past Gains, Much Work Remains

As our statement of principle and aims makes clear (see box below), the Bessemer Voters League actively seeks both to register increasing numbers of people in the community and to educate them politically. For the last 20 years, these have been its major tasks.

The Congressional passage of the Voting Rights Act of 1965 helps us immeasurably in this endeavor. Last year, for the first time, federal registrars were sent to our county, in accordance with one of the major provisions of the new law.

Many of the barriers on the Negro's path to the ballot box have been removed. Yet, fear and intimidation still must be overcome if we are to achieve our maximum voting strength.

Significant gains were made here in Bessemer in last year's election . . . make no mistake about that. Yet, realize, too, that much work remains to be done prior to our next general election in November, 1968. For powerful forces will again be arrayed against us—determined to strip us of recent gains, as well as to hold the line against further advances.

'Now That You're Old Enough To Vote, Suh, Ah Hope You'll Vote For Me'

First Level – The Precinct

Effective political work begins at the precinct level, where success can be experienced. The truth of that statement was clearly shown in last year's May primary election, in which four Negroes from Precinct No. 33 (now changed to No. 1) were elected to the Jefferson County Democratic Executive Committee—Atty. David H. Hood, Israel Williams, Sam Allen, and Charles Moorer.

Since being sworn in, Atty. Hood has been appointed a member of the vacancy committee and has been successful in having three more Negroes appointed to the executive committee—Willie Davis, Abraham Dale, and Herman Woods.

Throughout the county, 37 Negroes now serve on the 120-member group.

A major step toward political equality for the Negro in Jefferson County, the achievement has been paralleled in only two other of Alabama's 67 counties—Mobile and Macon—although in those counties the numbers gaining seats were far smaller.

Obviously, the struggle for political equality will be long and arduous. We must move forward step by step, while never losing sight of that ultimate objective.

Other Gains

For the first time in history in Jefferson County, four Negroes last year were in the run-off election as candidates for the State House of Representatives — Atty. Hood, Dr. James T. Montgomery, L. S. Gaillard, and Atty. Arthur Shorer. Of 54 Negro candidates for state and county office throughout Alabama in 1966, 23 received sufficient votes to be in the May 31 run-offs.

In Macon County, that run-off produced the first Negro sheriff in the state's history—Lucius Amerson. Two other Negroes there—L. A. Locklair and Harold Webb—won positions as tax collector and member of the Board of Education respectively.

(Continued on Page 4)

Statement of Principle and Aims of the Bessemer Voters League

We acknowledge with humility the divine power of the Almighty God and implore His guidance during these critical days that He may point out to us and the people of the world the pathway to everlasting world peace and domestic tranquility, and preservation of our cherished American way of life and the fundamental principle of the government of the people, for the people, and by the people.

The Bessemer Voters League stands today where it has always stood, with feet firmly planted on the solid foundation of the Constitution of the United States. The Bessemer Voters League is non-partisan, but we reaffirm our devotion and pledge anew our allegiance to the true principles of the historic Democratic party—the party to which we have given our full support since the election of the late Franklin Delano Roosevelt, Harry Truman, the late John F. Kennedy, and President Lyndon Johnson.

Article II, Purpose and Aim, of the Bessemer Voters League Constitution: Section I. The purpose of this organization shall be to develop fellowship among qualified voters and increase the number of voters. Section II. This organization aims to stimulate and politically educate people in this area.

NEWS from the AFL-CIO

Coalition

NA. 8-3870

FOR RELEASE IN A.M. PAPERS, THURSDAY, JULY 27, 1967

AFL-CIO President George Meany today sent the following telegram to AFL-CIO Vice President A. Philip Randolph:

The sober, thought-provoking statement issued by you, Mr. Wilkins, Mr. Young and Dr. King fully merits the support of all Americans. Let me assure you it is the position of the AFL-CIO.

We will continue to push, with all the vigor at our command, for the adoption of legislation to meet the problems you outlined -- to eliminate from the American scene disease, slums, unemployment, poor educational facilities and above all else, discrimination.

As an item of first priority, America must aid the innocent victims of the rioters. Certainly they deserve, at the very least, the same help the government gives the victims of natural disasters. We urge the Congress, as an immediate matter, to amend the necessary laws to give them this assistance.

We say to the Congress: Now is not the time for the cheap humor and complete stupidity shown by those members of the House of Representatives who voted to kill the rat-control bill. Nor is now the time for a minority of the Senate Judiciary Committee to engage in a racially-inspired attack on the nomination of Thurgood Marshall to the United States Supreme Court. Now is the time for action and statesmanship by passing the poverty, housing, education and civil rights bills proposed by President Johnson and restoring full funding for the Model Cities and rent supplement bills passed last year.

My warm congratulations to you and your colleagues on a courageous, sensible statement.

-30-

7/26/67

FULL TEXT OF NEGRO LEADERS STATEMENT:

Developments in Newark, Detroit and other strife-torn cities make it crystal clear that the primary victims of the riots are the Negro citizens. That they have grave grievances of long standing cannot be denied or minimized. That the riots have not contributed in any substantial measure to the eradication of these just complaints is by now obvious to all.

We are confident that the overwhelming majority of the Negro community joins us in opposition to violence in the streets. Who is without the necessities of life when the neighborhood stores are destroyed and looted? Whose children are without milk because deliveries cannot be made? Who loses wages because of a breakdown in transportation or destruction of the place of employment? Who are the dead, the injured and the imprisoned? It is the Negroes who pay and pay and pay, whether or not they are individually involved in the rioting. And for what?

Killing, arson, looting are criminal acts and should be dealt with as such. Equally guilty are those who incite, provoke and call specifically for such action. There is no injustice which justifies the present destruction of the Negro community and its people.

We who have fought so long and so hard to achieve justice for all Americans have consistently opposed violence as a means of redress. Riots have proved ineffective, disruptive and highly damaging to the Negro population, to the civil rights cause, and to the entire nation.

We call upon Negro citizens throughout the nation to forego the temptation to disregard the law. This does not mean that we should submit tamely to joblessness, inadequate housing, poor schooling, insult, humiliation and attack. It does require a redoubling of efforts through legitimate means to end these wrongs and disabilities.

We appeal not only to black Americans, but also to our fellow white citizens who are not blameless. The disabilities imposed upon Negro citizens are a century old. They remain because the white citizenry in general supports these restrictions.

The 90th Congress has exhibited an incredible indifference to hardships of the ghetto dwellers. Only last week the House defeated a rat-control bill which would have enabled the cities to get rid of the rats which infest the slums.

And finally, we support President Johnson's call "upon all our people black and white alike in all our cities to join in a determined program to maintain law and order, to condemn and to combat lawlessness in all its forms, and firmly to show by word and by deed that riot, looting and public disorder will just not be tolerated."

No one benefits under mob law. Let's end it now!

Signed by : Martin Luther King Jr., President, Southern Christian Leadership Conference;
A. Philip Randolph, President, A. Philip Randolph Institute ;
Roy Wilkins, Executive Director, National Association For the Advancement of Colored People;
and
Whitney M. Young Jr., Executive Director, National Urban League.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

EXECUTIVE COUNCIL

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PRESIDENT

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815 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006

PHONE: NATIONAL 8-3870

July 27, 1967

Dear Friend:

Enclosed is the full text of a statement by Negro leaders concerning the riots which have occurred lately in some of our major cities. The statement was issued Wednesday, July 26, 1967.

Accompanying this statement is the AFL-CIO response and endorsement issued by President George Meany on the same day.

If you desire additional copies, we have them available.

With best wishes.

Sincerely yours,

Don Slaiman

Don Slaiman
Director
Department of Civil Rights

DS/jg
opeiu #2 afl-cio
enclosures:

OCT 1965 [pp. 235-36 missing]

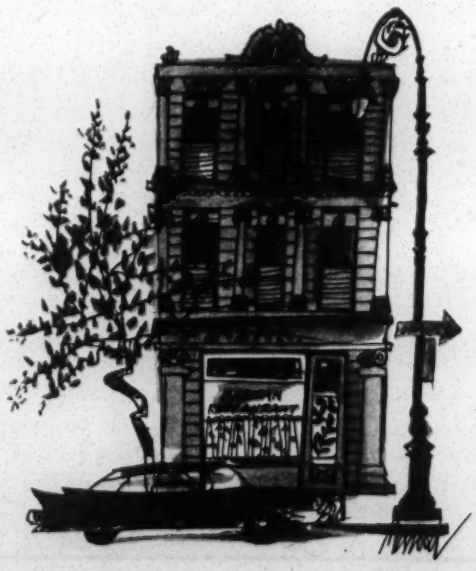
LETTER FROM WASHINGTON

OCTOBER 10

PRESIDENT JOHNSON was hospitalized, as President Eisenhower was almost exactly a decade earlier, at a time when no major foreign crises existed or impended and when political life in this city was somewhat more than usually routine. With President Eisenhower, of course, this was almost wholly a matter of luck, while with President Johnson it was partly luck and partly management. As the White House tells it, he became aware of his illness on the morning of September 7th; he was at his Johnson City ranch at the time, and he was shortly advised that while surgery at an early date seemed called for, he could think in terms of weeks rather than days or hours. Had immediate hospitalization and surgery been ordered, there would have been a good deal more alarm here than there has been this past week. Indian troops were moving on Lahore, and Pakistani paratroopers were dropping on the Punjab. China seemed likely to join the war. U Thant's mission to the belligerents was then only a plan—and not a very promising one. President Sukarno seemed about to yield to the Indonesian Communists. In the Dominican Republic, General Wessin y Wessin's followers had launched a fierce propaganda attack on the new provisional government, and it was feared that a coup might be in the making. In this country, the President was for the first time meeting with heavy resistance in Congress. His farm bill had suffered considerable mutilation in the House, and there was doubt whether the Senate would pass it. There was also fear of racial disturbances accompanying the opening of public schools all over the country.

Not all anxieties have been dissipated in the period between the diagnosis and treatment of his illness, but they are far fewer and milder. The cease-fire in Kashmir seems to be holding, and Peking does nothing but talk. Developments in Indonesia seem on the whole rather favorable from this government's point of view, and in Santo Domingo the provisional government is said to have a fairly firm purchase. Congress has done almost everything the President wanted it to do, and there have been no racial troubles on the scale of the riots in Los Angeles. The President was able to have his visit with the Pope and to give his party for Congress—a somewhat sour affair, unfortunately, since he would not allow the festivities to begin until the House had passed the bill to "beautify" (or, at any rate, make less hideous) highways paved with federal funds. He was incapacitated so briefly that no one gave much thought to what the Vice-President was up to—a matter that was of immense concern ten years ago. (Once, in those agitated days, there were rumors here to the effect that a junta was being formed by the Secretary of the Treasury, George Humphrey. The talk grew out of the fact that the Vice-President had gone to the Secretary's office—rather than vice versa—for a meeting with Humphrey and other officials.) Still, the Constitutional question involving the Vice-President's role at times like these remains unresolved. Only eight states have thus far ratified the Twenty-fifth Amendment, which settles the matter, though not to everyone's satisfaction.

THE long session of Congress now drawing to a close has been notable for several things, but not for the spirit or the quality of debate or for the resolution of any particularly subtle or complex questions. As it was expected to do from the moment the election returns were in last November, it has written into law almost the entire program that the President advocated during the campaign, but it has done so largely without discussion, controversy, or prolonged investigation. This is in part because, given the size of the administration majorities, discussion and investigation could have had little effect on the legislative products, and in part because for nearly two decades there had been a stupefying amount of discussion on most of the proposals to which the House and the Senate addressed themselves this year. In the House, though, there was one matter that was shot through with controversy and conflict—one issue, involving attitudes toward American society and concepts of democracy and representative government, over which informed and reasonable men could, and did, differ. It was known hereabouts as "the Mississippi challenge," or simply "the challenge," and it turned on the question of whether Mississippi's five congressmen were Constitutionally entitled to occupy the seats for which they had presented, last January 4th, certificates of election issued by the governor of the state. The matter was dealt with twice. The first time was on that same day in January, when, after failing to adopt a resolution that would have vacated the five seats at least until its Committee on Administration had investigated the election, the House, by a majority of a hundred and twenty-seven votes, authorized the Speaker to administer the prescribed oath of office. The authorizing resolution—the first resolution taken up by the House this year—noted that "any question involving the Members in question is one which should be dealt with under the laws governing elections." The matter came before the House again on September 17th, when, by a majority of eighty-five, a challenge to the Mississippi delegation's right to its seats, brought by seven citizens of Mississippi, was dismissed. It cannot be said that there was any very stimulating "debate" over this—the partisans had only an hour in which to air their views on the floor of the House—or that the central question was resolved; in fact, the House, in dismissing the challenge, struck from the motion of dismissal a clause saying that the Mississippi members were "entitled to their seats as Representatives of said districts and State." But there was much debate and controversy off the floor, and the reverberations are likely to be heard for the next several years.



The seven citizens who brought the challenge were all members of the Mississippi Freedom Democratic Party, an organization that first came to national attention when it issued a similar challenge to the Mississippi delegation to the National Democratic Convention in Atlantic City in August, 1964. The grounds for the Atlantic City challenge were essentially the same as those for this year's challenge. The most important was the systematic and almost total disenfranchisement of Mississippi Negroes. In 1964, only one Negro was registered for every seventeen whites. Less than seven per cent of Negroes over twenty-one were registered—compared with, for example, more than

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fifty per cent in Florida and Texas, and forty per cent in Georgia. Even in Alabama, the percentage was three times greater than in Mississippi. But there were other grounds. Mississippi is, and since the end of Reconstruction has been, a one-party state. In 1964, of a hundred and seventy-one members of its legislature only one was not a Democrat. (One member of the challenged delegation, Prentiss Walker, is a Republican, elected in last year's landslide vote for Senator Goldwater by Mississippi's "regular" Democrats.) The established state party—or what the Freedom Democrats call the "traditional" party—is independent of the national party, whose program and candidates it rarely endorses. (When Governor Paul Johnson was elected to his present term, he told his supporters that they had defeated "the Kennedys, the Adlai Stevensons, and the Northern Democratic overlords who would . . . like to destroy our way of life.") The established state party is as explicitly committed to segregation as the national party is committed to integration. In its 1960 platform, the state party said, "We believe in the segregation of the races. . . . We condemn integration." At its state convention last year, it resolved: "We believe in separation of the races in all phases of our society." There is no evidence of any connection between the party as an organization and the violence and terror that have met Negro efforts to participate in Mississippi politics. But in a one-party state political responsibility is indivisible, and it is a simple matter of fact that a number of those Mississippians who have committed and encouraged acts of violence owe their livelihood to the Mississippi Democratic Party, which, as Governor Johnson said at its 1964 convention, "is the framework, or the structure, through which Mississippians maintain political unity and operate self-government."

The Freedom Democratic Party was largely the idea of the militant students who have been spending summers in the South attempting to break down segregation in several fields. In conception and execution, it was brilliant. The established party had scarcely any more claim to be seated at a National Democratic Convention than a delegation of Republicans, Communists, or Prohibitionists. Its delegates—as they freely acknowledged at the time—had no intention of supporting the nominees of the Convention or the platform it adopted. On the other hand, the Freedom Democrats, when they organized at a convention in Jackson in April,

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1964, pledged themselves to stand with the national party on all matters of policy and to support the national ticket. (This was at the beginning; as things turned out, they later became almost as hostile to the national leadership as their adversaries were.) They sent to Atlantic City an integrated delegation (sixty-four Negroes, four whites) and as their legal representative before the Credentials Committee appointed Joseph L. Rauh, Jr., possibly the most effective, and certainly the most indefatigable, civil-rights lawyer in the country, and also the leader of the Democratic Party in the District of Columbia. It was, of course, unlikely in the extreme that the Convention would do what Rauh and the Freedom Democrats were asking it to do—replace the delegation of the established party with that of the Freedom Democratic Party. Insurrection can crop up anywhere, for good reasons or bad, and men of power tend always to oppose it, not because they lack understanding of its causes or sympathy with its purposes but because they have a vested interest in procedural regularity. Nevertheless, Rauh's brief against seating the representatives of the established party was unassailable, and it was dramatically supported by the televised testimony of the Freedom Democrats on the brutality visited upon them when they sought no more than a voice in the determination of their own fate as human beings in Mississippi. The Convention agreed that the established party had forfeited its claim to representation. It further declared that it would never again seat delegates from states in which minorities were denied a voice in Party affairs. And while it did not concede that the Freedom Democrats had established an acceptable claim to be seated as a delegation, it at least acknowledged that their claim was stronger than that of the departed delegation and offered them two seats, with full voting privileges. It was a famous victory.

The Freedom Democrats, however, could not be persuaded that it was a victory. They called it a compromise—which, of course, it was—and would have no more to do with Rauh or with Aaron Henry, the only one of their leaders who was willing to accept it. At the time, most of their sympathizers within the national party put this down partly to the blindness of idealism, partly to the novice's failure to understand that politics is never anything but an organized system of compromise, and partly to the bitterness and alienation that are as much a native product of Mississippi as cotton. In time, though,

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some of their sympathizers began to wonder whether, as a consequence of alienation or for some other reason, they were not more interested in pursuing defeat, or the appearance of defeat, than in pursuing victory. The Convention had disestablished the established party and had recognized the Freedom Democrats' organization as one that had gone a long way toward establishing its legitimacy. The Freedom Democrats were in a position to contend against Governor Johnson's party in Mississippi as they had in Atlantic City. To be sure, the opportunities for doing so were anything but numerous. With Negro registration still below seven per cent, they could not hope even to make a respectable showing in any contest they might be permitted to enter. They could sue for recognition in the courts or bring suit against their rivals, but they could not expect justice from the local courts, which were all creatures of the one-party state, and strenuous and assertive political behavior would in all likelihood lead to more violence and terror. But they had risked violence before, and they were unprepared to disband after what they regarded as their betrayal and defeat in Atlantic City. A number of their supporters here—mainly in the House of Representatives but also from other parts of the government and from civil-rights organizations—began exploring the problem of getting the best legal advice they could find. In the end, the Freedom Democrats, who had persisted in saying that they wished to affiliate with the national party, were encouraged by party leaders here to take, or at least attempt, the legal steps necessary for recognition in Mississippi. It was certain that they would meet with rebuff by election officials—though, in fact, some of their candidates had succeeded in getting on the ballot in the June primaries—and defeat in the local courts. But this would open the way for an appeal in the federal courts. If they sought and failed to get places on the November ballot, they would be in a position to present themselves before the federal courts and the appropriate committees of Congress not merely as aggrieved citizens objecting to the way things were done in Mississippi but as bona-fide claimants to political recognition and as challengers of the legitimacy of the established party. They would also be in a position to go to Federal District Court and seek to have it enjoin Governor Johnson from issuing his certificates of election to the delegation that would be returned by the established party. Though the Vot-

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ing Rights Act of 1965 had not yet been drafted, a powerful case could be made that Mississippi elections had been held in violation of the Fifteenth Amendment, which forbids disenfranchisement "on account of race, color, or previous condition of servitude," and several civil-rights laws already on the books.

These steps the Freedom Democrats chose not to take. They made no serious effort to get candidates on the November ballot and filed no protest against the Governor's issuance of election certificates. Up to a point, their reluctance to proceed as advised was understandable. The federal courts, though they have done a great deal to protect and extend civil rights and liberties, have not been of much assistance to the Negroes in their quest for political equality and power. Moreover, the Freedom Democratic Party had grown out of what was essentially a youth movement, which, like most youth movements, preferred political action to litigation. Yet what had been proposed was a combination of the two, with litigation being employed to facilitate political action. Moreover, the course that the Freedom Democrats eventually took involved them with lawyers by the score and in legalistic wrangles that went on until the middle of last month. They chose three of their leaders (Mrs. Fannie Lou Hamer, Mrs. Annie Devine, and Mrs. Victoria Gray) to run against three incumbent congressmen (Jamie L. Whitten, of the Second District; Prentiss Walker, of the Fourth District; and William M. Colmer, of the Fifth District) in an extra-legal election held not on November 3rd but over the four preceding days. The party "registered" its own voters, polled them, counted the ballots, and declared that the three candidates were entitled to the seats of those whose election Governor Johnson was shortly to certify. The registering and polling places had been sidewalks, shops, churches, and private homes. A rather touching aspect of this affair was that despite the abundant possibilities for what in another setting might have been called fraud, the tallying seems to have been uncommonly scrupulous. (In each of the three "contests," the Freedom Democrats claimed for their candidate a total significantly lower than that recorded for the incumbent in the regular election.) The argument, as it was to be presented here early this year, was that the election conducted on the streets by the Freedom Democrats—and recognized by them and by them alone—was more democratic, more Constitutional, and more worthy of respect than the one managed by the

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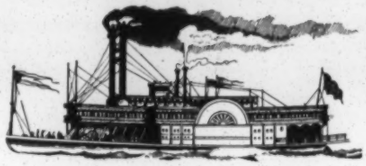

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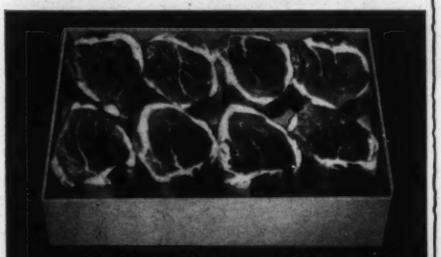

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one-party state and recognized as "regular" and "official" by the authorities here. If the Freedom Democrats had run a mock election, the established party had run an election that was a mockery—one that had been corrupted long before it took place, not simply by systematic exclusion but by terror and murder.

At the outset, then, the Mississippi challenge was a movement by the Freedom Democrats and their attorneys not merely to unseat the Mississippi incumbents but to award three of their seats to persons who had been chosen in a canvass that was no more than a straw vote. In the first briefs filed, lengthy arguments were made in defense of such awards. The closing section of Mrs. Hamer's brief, for example, is headed "The undersigned Fannie Lou Hamer is the only lawfully elected representative to the Congress from the Second Congressional District of Mississippi," and this is followed by the argument that the election she won (in which no exclusion was practiced—Representative Whitten got 59 votes, against her 33,009) was the only fair and democratic one held in Mississippi in 1964. The danger of accepting any such reasoning was, of course, apparent to most members of Congress and to most civil-rights leaders. As Rauh, the original counsel to the Freedom Democrats, wrote in a memorandum, "The contention is without legal support because the Mrs. Hamer, Devine, and Gray were not elected in any regularly constituted state election. They were selected in a mock election, and there is no plausible legal basis on which the winners of a mock election can be deemed to have been elected to Congress under the Constitution and laws of the United States. Their illegal exclusion from the ballot is not a substitute for their election on the ballot." It was one thing, he pointed out, for the Party Convention to have seated Freedom Democrats. Conventions are pretty much a law unto themselves; their rules are loose and can be stretched. But if Congress were to accept the results of a mock election conducted by the Freedom Democrats, there could be beer-hall elections all over the country and extra-legal attempts by minorities of all sorts to blast their way into Congress. In time, the petitioners and their legal counsel yielded to this logic, but reluctantly and incompletely. They never formally withdrew their claims to be seated; they simply muted them. In the brief filed with the House on June 29th of this year, their counsel said, "While the Notices of Contest in the

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2nd, 4th, and 5th Congressional Districts request the seating of the contestants as a possible form of relief, the contestants suggest in this Brief that the most appropriate form of relief in these cases under all the circumstances would be the vacating of the elections and the ordering of new Congressional elections under circumstances which would guarantee the full, fair, and free participation of Negro citizens in such elections."

The "candidates" did not press their claims as contestants, but it was in their names—and in the names of four other Freedom Democrats—that the challenge was made. The brief was headed "Brief of Contestants Urging the Vacating of the Contested Seats and the Holding of New Elections." Thus, three persons who had run in an extralegal election and four who had run in no elections presented themselves as "contestants" in the Mississippi elections. Under the procedure the challengers had chosen, the word "contestant" has been given rather a narrow and literal meaning. In most, but not all, previous cases of this sort, the House of Representatives, which under the Constitution is empowered to be "the judge of the elections, returns, and qualifications of its own members," has held that no one can "contest" an election unless he has himself been a candidate in the election he is contesting. It was with this in mind that the Freedom Democrats had, in the summer of 1964, been urged to take every step they could to qualify as regular candidates. On the first day of the session—the day the Speaker administered the oath to the representatives of the established party—the House received a challenge to the seating of Representative Richard L. Ottinger, of New York; on January 19th, it was dismissed on the ground that the man who had brought it (he had accused the Congressman-elect of having violated statutes that govern campaign expenditures) had not been himself a candidate for the seat. There are, to be sure, ways other than "contest" to unseat a congressman. Any member of Congress may submit a resolution protesting the seating of any other member. Private citizens in large or small numbers may file a "memorial" asking investigation or reconsideration of a particular member's right to the seat he occupies, or is about to occupy. But the general rule is that no one can contest an election after it has taken place who did not contest it at the time it took place.

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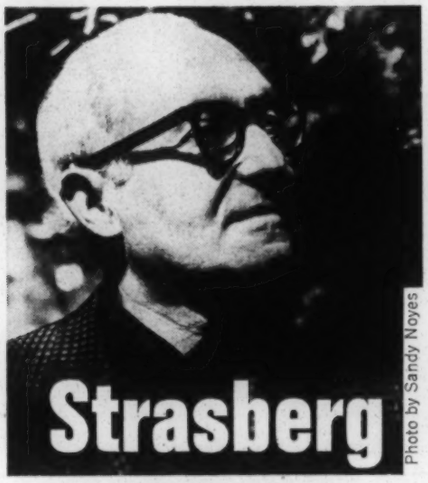

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the outset widespread sympathy in the House for the movement to unseat the seated delegation and hold a new election. Even on September 17th, when the challenge was dismissed, there were a hundred and forty-three votes against dismissal. Congressmen on both sides of the question were uneasy about relying strictly on precedent and about fussing over the failure of the Freedom Democrats to satisfy all the legal requirements. Whatever might be said of the mock election, it was not a moral outrage, as the regular election had been. On Negro disenfranchisement and the intimidation and terror employed to enforce it the House did not need evidence from the Freedom Democrats; in May the United States Commission on Civil Rights, which had been established by Congress in 1957 and had been studying the situation in Mississippi since 1960, submitted findings confirming everything that the Freedom Democrats and other civil-rights organizations had said. While the House is always disposed, other things being roughly equal, to decide in favor of its own members, there seemed a good chance early in the year that it would find it impossible to dismiss the Freedom Democrats' challenge. As time went on, though, the case of the Mississippi delegation was strengthened by the activities of the Freedom Democrats themselves—or, in most cases, actually by their counsel, which consisted mainly of Northern lawyers recruited by the National Lawyers Guild, an organization that has in the past been less notable for the aid it has rendered civil-rights causes than for its identification with Communist causes. For one thing, the lawyers, many of them men of enormous skill and varied experience, did their legal work atrociously. The "contest" procedure requires the assembling of a great deal of paper in the form of testimony and depositions. This is to be submitted to the clerk of the House, who, if he finds it all in order, has it printed for distribution in the House. After many delays, almost three thousand printed pages of documents were submitted, but with so many procedural oversights that the clerk was able to say that their failure to conform to established standards made it impossible for him to order their printing. In time, members of the Administration Committee prevailed upon him to forget the established standards and print them anyway, which he did—in three volumes, under the curious title "Papers Omitted in Printing Pursuant to Provisions of the Statutes Involving the Five Con-

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gressional Districts in the State of Mississippi." Meanwhile, the Washington spokesmen for the Freedom Democrats were subjecting congressmen—those who were sympathetic to them as well as those who were not—to the kind of pressure that invariably erodes support. There was a sit-in demonstration by students. There was an effort to have the challenge recognized as the only really important bit of business before the House. To this end, supporters of the Freedom Democrats attempted to disparage the voting-rights legislation that the rest of the civil-rights movement was demanding. "At this time," a February paper on "Voting Legislation" issued by the Freedom Democrats said, "we see it as the duty and responsibility of the Civil Rights Movement to militate against any maneuver that would dissipate this pressure [i.e., for the challenge] by the tokenism of still another fraudulently ineffectual piece of legislation." The suspicion grew that some of the challengers were less interested in winning a solid political victory than in demonstrating the futility of legal procedures in this society and the corruption of such of its established institutions as the Congress and its committees.

The House Administration Committee, which had been instructed to file a report on the challenge, is, by and large, a liberal committee. Many of its members belong to the Democratic Study Group, which has worked closely for several years with all civil-rights groups, and most of its members were sympathetic toward the challenge, even when they were being addressed as "finks" by some of its proponents. But the majority could find no way to report favorably on it without, as it seemed to them, abandoning due process and their Constitutional responsibilities. Neither, for that matter, could those who signed a minority report, which went no further than to urge continued study. It was not simply a matter of the precedents' being overwhelmingly against the challenge. New precedents could have been established. The basic fact, the majority found, was that an election had taken place in Mississippi on November 3, 1964, and that it had been conducted in accordance with federal laws and with Mississippi laws, none of which could be regarded by Congress as un-Constitutional, "inasmuch as they have not been set aside by the decision of any court of competent jurisdiction." That citizens in large numbers had been disenfranchised was altogether clear, but this did not in itself constitute evidence that the particular incumbents were improperly sworn in. The Committee ma-

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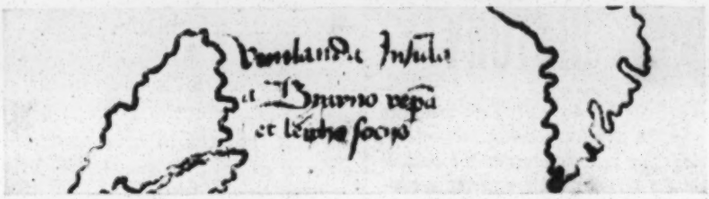

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jority recommended dismissal of the challenge, but its report put Southern congressmen on notice that this might be the last time any such recommendation could be made. "The Voting Rights Act of 1965 is now the law of the land, in full force and effect," it said. "The committee is cognizant of the fact that the alleged practices complained of . . . in the 1964 Mississippi elections would constitute violations of the new act if occurring subsequent to its enactment. There is now clear and adequate legal authority for the Federal Government to protect the rights of voters and to assure the rights of all citizens to become registered voters."

When the motion to dismiss came to the House floor on September 17th, it was amended so that it contained no implication that the Mississippi delegation was "entitled" to its seats. Even so, enormous pressure was exerted against dismissal by the civil-rights movement. Martin Luther King wired Representative John Conyers, Jr., of Michigan, that he regarded the majority report as a "testament of shame." Under the circumstances, it was exceedingly difficult for a congressman with any number of Negro constituents or any personal standing in the civil-rights movement to favor dismissal, and, in fact, most such congressmen voted against it—some because they agreed with Dr. King and some because, in spite of disagreement, they found the political risks too heavy. But some, who were no less committed to civil rights, stuck with the majority and exposed themselves to obloquy and reprisal. Among these was Frank Thompson, of New Jersey, chairman of the Democratic Study Group and a member of the Administration Committee, who had a large hand in drafting the report. Others on the majority side were Representatives John Blatnik, of Minnesota; Richard Bolling, of Missouri; John Moss, of California; James O'Hara, of Michigan; and Morris Udall, of Arizona. "I voted for the challenge, and I'm sure I'll get plenty of credit for it," one New York City congressman said. "But it was no act of courage. The courageous ones were those who will now be called rats and finks on every side."

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After 2:00 P.M.
Monday
February 26, 1968

HUD MAKES MAJOR MOVES FOR BUSINESS PARTICIPATION

Secretary Robert C. Weaver of the U. S. Department of Housing and Urban Development made two moves today to encourage private industry to take a more active role in meeting the housing goals set by President Johnson.

He announced the appointment of General B. A. Schriever, (USAF Ret.) former commander of the Air Force Systems Command and currently an industrial adviser involving urban affairs, as a special Consultant to the Secretary for Business Participation.

At the same time, the Secretary established an Office of Business Participation in the Department and chose Robert F. McAuliffe, a systems planning executive from International Business Machines Corporation, as its Director, and Robert Dubinsky as Assistant Director.

Secretary Weaver pointed out that the President's national goal of 6 million new low- and moderate-income housing units over the next 10 years will require a tremendous expansion of the nation's present capacity to produce housing. For 1969 alone, a target of 300,000 housing starts, an increase of three-fold over current production levels, has been set for this type of housing.

"Clearly, home builders and general contractors must increase their productive capacity if we are to succeed," he said. "But we must also explore new ways of more fully utilizing the managerial expertise, financial resources, and commitment of the private sector in this undertaking."

-more-

"Private industry's involvement may take different forms," the Secretary said. "Some may choose to sponsor or manage housing projects. Others will participate in systems management or research and development activities. Still others may elect to produce housing in the inner city or build entire new communities, utilizing, to a large extent, I believe, the proven talents of professional home builders and contractors.

"But whatever the involvement, American industry can expect reasonable profits commensurate with the risks involved. And from the standpoint of the under privileged, the participation of corporate America in urban activities should be a welcome addition by its offering increased opportunities for better housing, as well as the additional employment flowing from such additional production."

Through the Office of Business Participation, the Secretary pointed out, HUD hopes to establish a focal point to secure the active cooperation of the business, industrial and financial community in meeting national housing and urban development goals.

The Office will develop innovative plans and programs to attract business interests as partners in HUD activities, to help the business community develop a better understanding of the ways in which it can contribute to national urban objectives, and participate in such HUD programs as rehabilitation, Model Cities, urban renewal, "Turnkey" public housing construction, and rent supplements.

The role of General Schriever, according to Secretary Weaver, will be to counsel on methods and approaches for attracting wide business involvement in urban activities, to help develop incentives for combining the resources of the private sector with those available under HUD programs, and to bring the application of high level technology and advanced management to bear on urban problems.

"To meet the objective set by the President, not only do we need new builders, but we will need new industries in such activities as rehabilitation, and we will need to take advantage of the latest advances in technology," the Secretary pointed out.

Since retirement in 1966, General Schriever has devoted a great deal of attention and time to urban matters involving industry participation. During his military career, he was responsible for the nation's intercontinential ballistic development program since its inception. In guiding the Air Force Systems Command, he supervised the research, development, procurement and production actions to place advanced operational aerospace systems in the Air Force inventory.

He also directed the Manned Orbiting Laboratory and supervised many of the nation's highest priority space programs. Born in Bremen, Germany, in 1910, he migrated with his family to New Braunfels, Texas, as a youngster. He received a bachelor's degree at Texas A & M College and a second lieutenant's commission in the field artillery. He later earned a master's degree in aeronautical engineering from Stanford University and holds many honorary degrees from leading educational institutions. His military career began in 1932. During World War II he flew bombing missions in the Pacific Theater and commanded the advanced headquarters of the Far East Service Command. At retirement, he held the rank of full General.

Mr. McAuliffe, born in Montclair, New Jersey, served as an advance systems planner for IBM, where he organized and directed the evolution of urban government information systems.

Prior to IBM, he was associated with the Mobil Chemical Corporation and Union Carbide Corporation. He holds an MBA degree from Harvard Business School and an ME degree from Stevens Institute of Technology. He is a captain in the USAF Inactive Reserve.

Mr. Dubinsky, born in St. Louis, Missouri, was graduated from Harvard College and did graduate work at Kings College, University of London. After working as a real estate broker and as a member of the Planning Commission in St. Louis, he joined HUD in 1966. His most recent position was that of director of the Neighborhood Facilities program.

# # #

BIOGRAPHY
OF
GENERAL B. A. SCHRIEVER, USAF (Ret.)
SPECIAL CONSULTANT FOR BUSINESS PARTICIPATION

General Schriever retired August 31, 1966, as Commander of the Air Force Systems Command. He was also director of the Manned Orbiting Laboratory (MOL) program at the time of his retirement.

Subsequently, General Schriever served as a consultant to industry, performing services of both a technical and management nature. He served on the boards of several leading industrial corporations.

General Schriever had a distinguished career in the service of his country. Combat service in the South Pacific during World War II was followed by Pentagon assignments and a year at the National War College.

In 1954 he assumed command of the Air Force Western Development Division (WDD) at Inglewood, California. In this capacity he directed both the nation's highest priority projects -- the development of the Intercontinental Ballistic Missile program (ICBM), and the Air Force's initial space programs. He was responsible for pushing forward research and development on all phases of the Atlas, Titan, Thor and Minuteman missiles.

In 1961 he was named Commander of the Air Force Systems Command and promoted to the rank of full General.

The General resides at 4910 Loughboro Road, N. W., Washington, D.C., with his wife, Dora, and daughter, Barbara. Other children are Captain Brett A. Schriever, USAF and Mrs. Dodie S. Moeller.

###

Biography of
Robert F. McAuliffe, Director,
Office of Business Participation

Robert F. McAuliffe, 36, was an Advance Systems Planner for International Business Machines Corporation prior to his appointment as Director of the new HUD Office of Business Participation.

In that capacity he helped develop the corporate strategy for IBM's involvement in the urban environment. His overall job was to develop, structure and evaluate IBM's opportunities in that field.

Other special business experience included the Mobil Chemical Corporation, where he served as a Special Projects Manager, and the Union Carbide Plastics Company, where he was a field sales engineer.

He received his ME degree in 1953 from the Stevens Institute of Technology, and an MBA from Harvard Business School in 1962.

From 1954 to 1956 he served in the Air Force, and commanded an early-warning radar site in northern Japan, where he directed a $1.3 million reconstruction of facilities damaged by ice storms. He is presently a captain in the Inactive Reserve.

Born in Montclair, N. J., he currently lives in White Plains, New York.

###

BIOGRAPHY OF
ROBERT DUBINSKY, ASSISTANT DIRECTOR
OFFICE OF BUSINESS PARTICIPATION

Robert Dubinsky, Assistant Director of the Office of Business Participation, came to HUD in January 1966 as a Realty Specialist in the Renewal Assistance Administration. He was later named Program Officer for Neighborhood Facilities in RAA.

Born in St. Louis, Mo., April 12, 1936, he graduated from Harvard University in 1957 with a BA degree and studied for a year at King's College, University of London. He served in the Army for six months in 1959.

Before coming to HUD he was a real estate broker in St. Louis, and is a member of the National Association of Real Estate Boards and the Society of Industrial Engineers.

He lives with his wife, Elly, at 2608 Tilden St., N. W., Washington, D. C.

###

Coalition

What Southern Garment Workers Want . . .

Minimum Annual Income: Good Wages and Dignity

When we elect the next president of the United States this fall, we will also be electing a sizable number of Senators and Representatives. Because even the best president can do very little if Congress does not support his program, it is very important that we elect people to office who represent working people and who have the best interest of all the citizens at heart.

This summer, the candidates will be making promises, promising us the things they think we want. Therefore, we should let them know exactly what we do want, how we want our country to grow and improve in the next few years.

What do garment workers in the Southeast Region want? They want jobs—and decent wages. They want good health—the best possible health—for themselves and their families. They want education for their children. And they realize that these things should not be privileges but rights, that they belong not just to part of the population, but to all citizens of the United States.

Let's be more specific. Many garment workers still remember the depression (although some of them were only children then), when men were out of work all over the country and no jobs were available. Workers marched the streets and even went to Washington to demand jobs. Today, the same cry for jobs is being heard in the ghettos of American cities, among the "hard core unemployed" white and black, and in the depressed areas of Appalachia and the rural South, from those who are not sharing in the "prosperity."

Jobs must be found. If necessary, the government must provide jobs.

Garment workers, of course, have jobs. But when there is a strike, they are only too aware of the people without jobs who are willing to take the strikers place in the factory. And even when there is no strike, garment workers who are trying to organize a Union are told: "If you join the Union, I

Yes, there are many workers who would be pathetically grateful to get that minimum wage—the wage that is now $1.60 an hour only because organized Labor fought to raise it to that level. And this is one reason why many garment workers are now realizing how much a legislated Minimum Annual Income as well as Minimum Hourly Income could do for them. Why?

There are many reasons why people cannot work. Mothers with children cannot afford babysitters and do not wish to leave their children home alone—and who can blame them? Children cannot support themselves. Children whose parents cannot work should not be left to starve.

In this country of plenty, there are 10 million hungry, the greatest number of them in the South. For instance, of the 250 counties in the nation with the most hungry people, 47 are in the state of Georgia alone.

When happens when people are hungry? Malnutrition, even when it doesn't kill or lead to disease, can damage both mind and body. It can cause brain damage and can slow down both physical grown and ability to learn.

A recent report by a group of private citizens said it pretty bluntly:

"No other Western country permits such a large proportion of its people to endure the lives we press on our poor. To make 4/5 of a nation more affluent than any people in history, we have degraded 1/5 mercilessly."

Of course many garment workers—especially those in Union shops—are not a part of that bottom fifth, but they nevertheless have a stake in the Minimum Annual Income. Because as long as there are people starving in this country, garments wages are not going to be very high. Garment manufacturer's pay as little as they possibly can. If there is no Union, they pay the minimum wage. If there's a Union, wages go up by 20¢ an hour or more but they can only go up so far.

The higher the bottom, the better off garment workers will be. The garment industry continually moves to the area of lowest wages, to towns that promise them the cheapest rent and the cheapest workers. If there were a minimum income as the right of every citizen, garment factories might have to offer decent

In Miami, there are garment workers who are not getting the minimum wage. It's illegal, of course, but still they do not quit or take their bosses to court. Because they do not want to be hungry. Garment workers should not have to choose between miserable wages and starvation. It is time to win some more of that dignity that we have been talking about for 50 years—and one way to do that is by winning the right to *choose* between decent wages and a minimal but nonstarvation income.

The Right to Good Health

Another thing which garment workers have come to realize as their right is good health—and the health care which makes good health possible.

But good health has not yet become a right in the United States. In 1948, a National Health Insurance plan was suggested by President Truman. Since then, we've gone backwards and, twenty years later, no one is even talking about a health plan for every American citizen.

As a result, we are falling behind. In 1950 we had one of the lowest infant mortality rates in the world. We ranked 6th. Today we rank only 16th. For every 1000 babies who live, 25 die. In improverished counties where people are hungry, this figure goes up: in some places, it is 10 times as high.

All of the countries with lower infant mortality rates than the United States have systems of providing healthy care for the vast majority of their citizens.

Meanwhile, it gets more and more expensive to be sick in this country, and even a skilled worker, whose wages put him squarely in the middle class, can easily be totally wiped out by an unexpected illness.

We are glad that hospital workers, after years of misery, are now covered by the minimum wage. But with hospital costs spiralling, the individual citizen needs help in paying his bills.

Are we to continue raising more and more money and winning larger and larger Health Unions—including the Southeast Region of the ILGWU—are now studying this problem.

But that alone will not solve the problem of good health in this country. There must be some form of national health insurance. Free medical care must be made available to all, whether or not they can afford to pay.

We must make good health a right.

The Children's Future

Finally, there is the matter of educating our children.

Many garment workers are women with small children. By the time they finish paying for babysitters, their wages don't go very far.

In Spartanburg, the Union has tried to overcome this problem. Plans are underway for a childcare center. The Union and the company, Spartan Undies, are both willing to spend money to help set up the childcare center. The hold-up now is the government. Because of cutbacks in the poverty program, the government has refused to contribute its share.

The childcare center proposal includes remedial medical care for the children, a hot lunch and 2 snacks every day, preschool training and a graduated scale of payment, depending on what the mother can afford to pay. Care would be cheaper for a second or third child in the program. Eventually the program would be broadened to include a summer program for school children.

Regional Director Martin Morand, Maida Springer Kemp and Evelyn Dubrow, have spent much time in Washington trying to set up this program. Legislators are enthusiastic, but can offer no financial support.

European countries which are not so affluent as the United States have been able to afford child care centers. Why can we not?

In our drive for more TVs and more cars, we have forgotten the basics, things like health and education, and these basics are very important to garment workers.

As we approach the end of the Vietnam war, we must begin to think about the money and resources which will become available for use in this country. Indeed, we must find ways of putting these resources to work in order to

some of them were only children then), when men were out of work all over the country and no jobs were available. Workers marched the streets and even went to Washington to demand jobs. Today, the same cry for jobs is being heard in the ghettos of American cities, among the "hard core unemployed" white and black, and in the depressed areas of Appalachia and the rural South, from those who are not sharing in the "prosperity."

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history, we have degraded 1/5 mercilessly."

Of course many garment workers—especially those in Union shops—are not a part of that bottom fifth, but they nevertheless have a stake in the Minimum Annual Income. Because as long as there are people starving in this country, garments wages are not going to be very high. Garment manufacturer's pay as little as they possibly can. If there is no Union, they pay the minimum wage. If there's a Union, wages go up by 20¢ an hour or more but they can only go up so far.

The higher the bottom, the better off garment workers will be. The garment industry continually moves to the area of lowest wages, to towns that promise them the cheapest rent and the cheapest workers. If there were a minimum income as the right of every citizen, garment factories might have to offer decent wages to convince people to work in garment shops. We believe in the incentive system. Starvation should not be the incentive to force people into sweat shops.

live, 25 die. In improverished counties where people are hungry, this figure goes up: in some places, it is 10 times as high.

All of the countries with lower infant mortality rates than the United States have systems of providing healthy care for the vast majority of their citizens.

Meanwhile, it gets more and more expensive to be sick in this country, and even a skilled worker, whose wages put him squarely in the middle class, can easily be totally wiped out by an unexpected illness.

We are glad that hospital workers, after years of misery, are now covered by the minimum wage. But with hospital costs spiralling, the individual citizen needs help in paying his bills.

Are we to continue raising more and more money and winning larger and larger Health and Welfare provisions in our contracts just to see the benefits slide away as costs go up? A better approach is for Unions to try to find ways of improving the coverage, and most

broadened to include a summer program for school children.

Regional Director Martin Morand, Maida Springer Kemp and Evelyn Dubrow, have spent much time in Washington trying to set up this program. Legislators are enthusiastic, but can offer no financial support.

European countries which are not so affluent as the United States have been able to afford child care centers. Why can we not?

In our drive for more TVs and more cars, we have forgotten the basics, things like health and education, and these basics are very important to garment workers.

As we approach the end of the Vietnam war, we must begin to think about the money and resources which will become available for use in this country. Indeed, we must find ways of putting these resources to work in order to avoid the recession which so often accompanies the return to a peacetime economy.

We are a wealthy country. We must use our wealth to make life better for all our citizens.

Help in Figuring Piece Rates Given at Brunswick, Douglas

Classes in Brunswick, Georgia on Saturday, April 27 and in Douglas, Georgia on Saturday, May 11, have been helpful to members in Locals 519 and 586 who had requested help in figuring piece rates and add-ons.

The class at Brunswick, which was held at the Holiday Inn, was the second in a series of classes for the Local 519 members.

58 members attended the class. The discussion was led by Business Agent Harry Berger and Chairlady Evelyn Trull.

The discussions were on two subjects: 1) how to figure your earnings and 2) how to figure your overtime.

The classes in Douglas were similar to the Brunswick classes.

In Brunswick, the members were given a chart which will help them figure add-ons. The chart converts ticket earnings into real earnings, so that the operator knows exactly how much she has made. Numerical examples were used in Douglas.

Those who attended the schools reported the continued need for this type of information and discussed the need for additional classes which are now being planned.

A movie, "With These Hands," was also shown at the Brunswick school. Both schools concluded with lunch.

A Note from Dr. Heilman

Dear Mr. Cheponis,

You wrote that Lucille Watson, Chairlady, Local 408 in Fayetteville wondered when the mobile unit might get there.

All I can say at this time is that I am very concerned about this problem also and am studying plans for a different system. It is very important that members keep up regular checkups with their own doctors—a minimum would be a yearly pelvic checkup.

Sincerely yours,
R. B. Heilman, M.D.

Examiners at Standard Shop Get Raise By Joining Union

When the examiners at the Standard Textile factory in Charlotte, North Carolina, decided to join the Union recently, they won themselves an immediate 15¢ raise.

The examiners had never belonged to the Union before and had not been included in the bargaining Unit. Early in February, they signed Union cards and became Union members.

North Carolina District Council Manager Jesse Riddle immediately negotiated with the company for the new Union members and, as a result, their minimum went from $1.75 to $1.90 an hour.

The examiners check the knitted material which is produced in the plant.

Standard Textile Workers belong to Local 530.

Firing at Debby Dress, Miami Prevented by Effective Union

The workers at Debby Dress in Miami found out once again that a strong Union—and a strong Chairlady—can keep them from being stepped on.

On the afternoon of May 6, the company attempted to fire 6 workers, claiming that these workers had too much makeup pay.

Thanks to quick action on the part of the Union, the workers were back on the job the next morning. Business Agent Bill Krost, along with Chairlady Helen Muzio, met with the company and resolved the problem.

The company also agreed that all rates on new styles will be studied with the shop price committee so that new prices will be adjusted and fair to the workers before the new style is practically finished.

Chairlady Helen Muzio will soon be retiring. She has worked hard to build the Union in the Debby Dress shop and she will be very much missed.

THEY WANTED TO DISCUSS THE PROBLEMS WITH THE BOSS, but he didn't show up. Members at the Daisy Originals shop in Miami held a meeting to discuss shop problems with the company. The Union was there, but the boss didn't come. From left to right in the picture on the left are Miami District Manager Harry Metz, Business Agent Bill Krost, Regional Director Martin Morand and Attorney Herbert Kaplan. They are surrounded by the empty seats which they had hoped company representatives would occupy. On the right, the Daisy workers wait. Read the Daisy Originals story elsewhere in this issue.

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200 Workers in Georgia Town Battle Industrial Serfdom

ZEBULON, Ga.—Another battle in the long struggle to create the New South has broken out here.

Two hundred under-paid workers at the Besco Products Co., all Negroes, have organized in Local 315 and have taken on the town's leading family in a fight for union recognition.

At the same time, the workers, with other Negroes of Zebulon, are boycotting the school system in a dispute over the hiring of a white to replace a Negro principal who resigned. The Southern Christian Leadership Conference is directing the boycott, and is also giving strong support to the strike.

At Besco, which is the larger of the town's two industrial plants, the union's picketline is up during daylight hours and the morale of the strikers is excellent.

"We expect this may be a long strike," said Int'l Rep. Guy Dickinson. "The owner of the plant had had his way so long he's forgotten that people have a right to question what he does."

Recognition Request Ignored

The union has written to the owner, William Edwards, for recognition. Not having heard from him, Local 315 petitioned the NLRB in Atlanta Sept. 10 for a bargaining election.

Fighting back, the company is suing the SCLC; Robert Curtis, shop chairman of the local's unit at Pomona Products in Griffin, 15 miles away, and a leader in both the boycott and the organizing; and the boycott committee.

The battle began during the summer over the school board's hiring a white principal in place of a Negro at one of the town's three schools. When the schools opened Thursday, Sept. 5, Negro parents kept their children out of school.

That afternoon the Negro workers at Besco walked off their jobs in support of the school boycott.

Thursday night Curtis, who lives in Zebulon, called the RWDSU's Atlanta office and said the workers wanted a union. Between Friday morning and Sunday evening, '315' Org. Hershel Holmes, Jim Freeman of the AFL-CIO staff, Dickinson and Curtis signed up more than 200 of the 250 employees.

On Monday morning, the union sought a meeting with the plant owner, but Edwards refused. Picketing began that morning, and later in the day the company closed the plant.

The company has shown no indication of bargaining. It has, instead, released pimento growers from their contracts, indicating that it may stay shut for the rest of the pimento-packing season rather than negotiate.

The owner and his family exert a good deal of control over the workers both in the plant and in town. The workers, some of whom have 30 years of service, get only $1.60 an hour, the federal minimum. Most of the employees don't punch time cards; the supervisor puts down whatever amount he wants the worker to earn.

Boss Forces Kickback

Some years ago, the company was found in violation of the Wage-Hour law, and the U.S. Labor Dept. ordered the company to reimburse the workers. Edwards sent out the checks, but he told the workers the money was rightfully his and coerced them into returning the checks.

There are no benefits. No one has ever had a paid vacation or a holiday or any other benefit.

The plant operates nine months a year. Twenty-five workers, most of them whites, work the entire year. A few of the Negro employees work enough hours to get unemployment benefits during the three months the plant is shut down, but most have to shift for themselves.

In the town, which has 1,500 people, the situation is not much better. Edwards' family owns a used car lot and the bank in addition to the cannery.

"The people work in the plant to get the money to buy a car and they finance it through the bank, so the Edwardses get all the money right back," Dickinson said.

He said the workers badly need financial help.

"We think many people would like to help," he said, "and anyone who would can send his contribution to Besco Strikers Fund, Local 315, 1838 Stewart Ave. S.W., Atlanta, Ga. 30315."

LEEDS PICNIC: Two hundred RWDSU members who work at Southern Wire and Steel and their families attended the unit's annual picnic Aug. 17 at the municipal park in Leeds. Ladies in charge of arrangements are shown above (left to right): Billie Hawkins, Gloria Lovoy and Barbara Wright. The men who served the food are (left to right) E. C. Jones; Rep. Bob Hawkins, coordinator of the picnic; unit chairman Bill Smith and Leonard Alexander

Three-Year Struggle Wins Pact at Atlanta Goodyear

ATLANTA, Ga.—It took a four-day strike and more than three years time before Local 315 was able to negotiate a first agreement for the 29 employees of the Goodyear Tire and Rubber shop here.

At the signing only two of the original workers who were employed when the union organized the shop were still there.

The three-year agreement provides a wage increase the first year of from 14 cents to 44 cents an hour, and hikes of eleven cents an hour across-the-board in each of the next two years.

Workers will receive two weeks vacation after one year, three after eight and four weeks after 15 years of service. There are seven paid holidays including the employee's birthday, sickness and accident coverage, $8,000 life insurance, six days paid sick leave, and beginning with the seventh day's absence, up to 39 weeks disability at $70 a week.

Rep. James Dickinson headed the negotiators, who included Rep. Hershel Holmes and the two original workers, Charlie Smith and Coyle Wise.

The local organized the plant in 1965, and when the company became aware of the union's activity, Goodyear fired one of the leaders of the campaign. The union filed unfair labor practice charges and was upheld by the NLRB's regional director. The company appealed the ruling to the board in Washington, and when the union was again sustained, Goodyear took the case to a Federal Court.

The court's ruling was in favor of the union, and in June 1968, three long years after it started to organize, the local was certified.

After a number of meetings over a two-month period had failed to produce an agreement, the workers walked out Aug. 30. After four days, the company finally agreed to the first contract.

150 Dairy Workers Gain Wage Hikes, Pension Plan

BIRMINGHAM, Ala.—One hundred and fifty members of Local 101A ratified a renewal contract with the White Dairy Co. Sept. 11.

The pact provides for a two-percent graduated commission increase for the 100 route salesmen and a 30-cent per hour wage boost for the 50 production workers.

The workers also won participation in the RWDSU International Pension Plan, a fourth week of vacation after 20 years of service, an increase in the number of sick leave days and an increase in the funeral leave.

The company also agreed to pay the full premiums for health and welfare insurance at a cost of $12 to $14 per month. The workers previously paid one-half of the cost of that coverage.

In addition the number of off-days for route salesmen who work a six-day week was increased to 21 days per year.

State Dir. C. T. Daniel led the union bargaining committee.

White Dairy has been under contract to Local 101A for more than 12 years.

Pay Hike Won in Memphis

MEMPHIS, Tenn.—Local 19 has negotiated a raise in pay for more than 100 employees of the Buckeye Celluloid Co. through a wage reopener.

The reopener resulted in a wage increase of nine cents an hour across-the-board, and brought the new minimum wage to $2.03 an hour. Local 19 Pres. Earl Fisher headed the union's negotiators.

The union's agreement with the company, which extracts and processes soybean and cottonseed oil, expires Sept. 28, 1970.

Pay Boosts, Shorter Week Gained at Alabama Bakery

BIRMINGHAM, Ala. — Local 441 has negotiated a five-day work week and a 30-cent per hour across-the-board wage boost for 25 workers in a renewal with the Home Baking Co.

Under the terms of the three-year pact the workers are assured a ten-cent per hour wage increase each year. In addition, the company agreed to reopen the contract one year from the Aug. 3 effective date for talks on wages and fringes.

Heading the union bargaining committee were Ala. Council Rep. Alfred Wright, Robert Hightower and Bill Blackstone.

'15A' Nets 55c an Hr. at Stein-Hall

CHARLESTON, S.C. — Local 15A has negotiated a 45-cent an hour wage boost for 42 workers in a 3½-year renewal with the Stein-Hall Chemical Co.

The 55½-cent per hour package, which was signed Aug. 16 and is retroactive to July 29, provides for an immediate 15-cent an hour wage increase and an additional ten cents in November. In February 1970 and in February 1971, the workers will again receive ten-cent boosts. The union also negotiated a 25-cent per hour increase in all starting minimums.

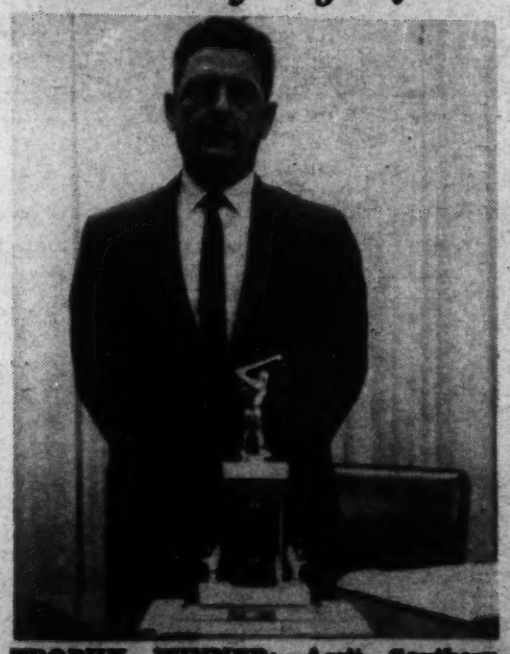
Vacation schedules were improved to provide one week after six months on the job, two weeks after one year, three after ten and four weeks after 25 years of service. The workers also won eight paid holidays, a four-cent per hour increase in the company's contribution for health and welfare benefits the second year and an additional 2½-cent increase in the third.

Also included in the contract were provisions for plant-wide seniority, double-time and a half for work on all holidays and paid uniforms.

Leading the negotiating committee were Local 15A Pres. John Cummings, Vice-Pres. Isaiah Bennett, William Lee, Julius Brown, Arron White, James Graham and Regional Dir. Irving Lebold.

Stein-Hall, a chemical innovator in the food and textile industry, has been under contract to Local 15A for three years.

Holiday Golfer



TROPHY WINNER: Asst Southern Dir. Frank Parker holds trophy he won at Labor Day golf tournament at Altadena Valley Country Club near Birmingham.

CANADA

Ont. Labor Leaders Blast Rand Report As Threat to Collective Bargaining

TORONTO, Ont.—Leaders of Ontario labor have blasted the Rand Report, made public Sept. 5, as threatening the end of collective bargaining in the province.

"The main recommendations of the report, if carried out, would put labor unions in a legal straightjacket, reduce their effectiveness and make collective bargaining worthless," said Canadian Dir. George Barlow.

The proposals are based on investigations by Commissioner Ivan C. Rand, 84, a former justice of the Canadian Supreme Court.

One of the chief proposals is the formation of an 11-man industrial tribunal that would have wide powers to inquire into wages, hours of work and fringe benefits; establish and limit the number of pickets in strikes, act on applications to terminate strikes and serve as arbitrators.

The tribunal, as proposed, would consist of a president, two deputy presidents and eight commissioners. Its decision would be final and not be subject to appeal to any higher body.

Other labor leaders and the New Democratic Party in Ontario have vehemently rejected the report, with the harshest criticism aimed at the proposal to set up the industrial tribunal with sweeping powers.

The New Democratic Party was strongly opposed to the recommendations in the Rand Report. NDP Leader Donald C. MacDonald said, "It would discourage labor and management from settling disputes on their own, and detract from the freedom of collective bargaining."

David Archer, president of the Ontario Federation of Labor, said flatly the proposals would not work and would not be desirable.

Douglas Hamilton, secretary-treas- of the federation, said, "I doubt that labor or management will take the recommendations seriously."

Ontario's Labor Minister, Dalton Bales, said there would be no move by the government to implement any part of the report until it had been carefully studied.

Among the Rand proposals are:

• The government would be empowered to designate any industry, business or service as "essential," and thereby be able to ban a strike, or order a resumption of work. Designation could be made before or after a strike. If such a dispute is not settled by negotiation, it must be referred to the tribunal.

GEORGE BARLOW

• The report harshly condemns strikes by public employees, which, it said, are against the public, and recommends strong anti-strike penalties.

• The report would give the tribunal, under certain circumstances, the right to impose arbitration in strikes of more than 90 days if there is evidence of bad faith in bargaining. It gives the tribunal authority to terminate any strike after six months.

• While upholding injunctions, it would prohibit the use of ex-parte injunctions—temporary, restricting court orders, which are obtained without notice to the other side—except in emergencies.

• It would protect the jobs of strikers except for gross misconduct and would ban mass picketing and organizational picketing.

• The report would restrict employers from permanently replacing strikers and ban the use of workers from outside the bargaining unit to do the work of strikers. Strikers could not, however, take other regular employment since that might prolong the duration of a strike. The report would bar the use of professional strikebreakers but would permit the use of supervisory personnel normally associated with production work.

• The report proposes heavy penalties against unions and their leaders for any illegal action ranging from violation of picketing regulations to illegal strikes, and recommends that unions be made legal entities capable of being sued and suing in their own name.

• The report contains a proposal that unions conduct a mail ballot of all employees in a bargaining unit on the question of ratifying or rejecting an agreement. It would require the union and the employer to draw up a joint summary on the terms of the settlement or terms offered. This would accompany the ballot.

• The report wants to bar the headquarters of any international union outside Canada from interfering with the terms reached in Canada by a local union and approved by an authorized Canadian representative of the union.

LABOR PRINCESS: Heather Smith of Ottawa, appropriately enough, was declared the winner in a judging among federal Department of Labor employees in Canada. She is a member of the Public Service Alliance of Canada.

Sask. Labor Body To Meet Oct. 3-5

PRINCE ALBERT, Sask.—The Saskatchewan Federation of Labor will hold its convention at the Coronet Motor Hotel Oct. 3 thru Oct. 5.

RWDSU locals that are planning to attend should send the names of their delegates and requests for room reservations to RWDSU Rep. W. G. Gilbey at 415 21st Street East, Saskatoon.

The deadline for locals to submit resolutions and constitutional amendments is Sept. 21. They must be signed by two officers of the local and mailed to the federation at 1601 11th Avenue in Regina.

Sask. J.B. Seeks Certification At King Size Photo

REGINA, Sask.—After several unsuccessful tries, the Saskatchewan Joint Board has organized a majority of the 65 employees at King Size Photo, a film developer and processor here, and expects to be certified.

"We have signed up more than 70 percent of the employees, and we look forward to winning certification easily," Int'l Rep. Len Wallace, who headed the organizing drive, said.

The drive began when one of the employees came to the union and said the employees wanted to belong to the RWDSU.

"It's an awful place to work," Wallace said. "The wage rates are as low as $1.07 an hour. The employees work a 42½-hour week, and there is compulsory overtime, ten hours a week. It's a real old-fashioned place."

Wallace also reported that the Joint Board's membership has reached 2,400, which is close to the union's all-time high in the province.

"We have a number of other drives in progress," he said, "and if these are successful, we should set a new mark for the RWDSU in Saskatchewan."

Pact For 3,500 at Dominion Hinged to Warehouse Strike

TORONTO, Ont.—A week-old strike of 400 RWDSU members employed at two Dominion Stores warehouses here may snowball to include 3,500 RWDSU members at 280 Dominion stores in southern Ontario.

At the Record's presstime, union negotiators, headed by Ontario Sup. Hugh Buchanan, company bargainers and a conciliation officer from the provincial Dept. of Labor were meeting to try to settle the warehousemen's strike, which began Sept. 5.

The key issue in the dispute is wages. At present, the RWDSU members earn about $102 a week. Other outstanding issues are holidays, improved welfare coverage and rewording of the contract on hours of work and overtime.

Although a new agreement for the 3,500 store employees has been reached, the agreement will be nullified if the warehouse strike is not settled by Friday morning, Sept. 13, while The Record is in the mail.

The two Toronto warehouses supply up to 75 percent of the merchandise sold at the 80 Dominion stores in Toronto, and a smaller percentage at the 200 other RWDSU stores in the province.

'440' Wins Arbitration

OTTAWA, Ont.—A recent arbitration, brought by Local 440, will prevent the Kemptville Creameries of this city from introducing a night shift.

The union had protested on the grounds that its agreement did not call for a night shift.

The daytime employees work until 6 p.m. each day, and they were willing to work later at the overtime rates called for in the agreement. The company had other ideas, preferring instead to pay regular rates with just a small shift premium to a full night-time shift.

An independent arbitrator, Hugh Poulin, heard the case and he ruled in favor of the union.

Consumer Price Index at Peak

OTTAWA (CPA) — Figures released by the Dominion Bureau of Statistics show that the Consumer Price Index reached a record high of 154.7 in June. The index, based on 1949 equalling 100, was 148.8 a year ago. The increase of six points was four percent.

Most components in the index—food, housing, clothing, transportation, health and personal care — moved higher.

The housing index rose to 157.6, mainly because of higher rents in such cities as Halifax, Montreal, Ottawa and Calgary.

The index for health and personal care went to 197.7.

While there is no comparable index of average family incomes, the DBS industrial composite index of weekly wages and salaries, based on 1961 equalling 100, rose to 139.3 in April from 130.8 in April 1967. In the year ending April 1968, wages and salaries rose 8.5 points, or about 6.5 percent. In the same period, the Consumer Price Index rose 4.2 percent.

The DBS estimate for average weekly wages in manufacturing in the month of May 1968 was $104.49, in April 104.26 and in March $100.63.

The housing index accounts for 32 percent of the total index, food prices 28 percent, clothing 11 percent, transportation 12 percent, health and personal care 7, recreation and reading 5, and tobacco and alcohol 6.

The Bureau is working on a new index with 1961 as a base. The index is the result of a survey of prices of about 300 kinds of goods and services.

CRISIS IN OUR CITIES

By NORMAN HILL

There are at least two components of the present crisis in our cities.

There is the crisis of material poverty, in which millions of urban Negroes are now rebelling against chronic joblessness, growing slums, poor schools, bad housing, and inadequate medical care.

Equally grave, there is the crisis of spirit and aspiration, in which the majority of young Negroes are now demanding individual dignity, a climate conducive to the creation of self-respect, and the right to become a part of the decision-making process that affects the solution of their problems and the regulation of their affairs.

These two crises are closely interlocked. For if the problems of jobs, schools, housing and health were solved tomorrow, the cities would still have to contend with the growing and militant desire of young Negroes to be dignified and self-respecting human beings capable of playing a role in the determination of their lives.

This is not to say that the urban crisis is one that plagues Negroes alone. Sixty-eight percent of the poor people in our society, and a substantial number of poor people in our cities, are white. To talk about poverty in the cities, then, is really to talk about the poverty of all poor Americans who live in the cities.

Partly because of the lack of coordinated effort among the black and white poor, the federal government is not listening to anybody, and shows no signs that it means to listen seriously to the poor.

This, in America, is ironic and paradoxical. Those who control our major national institutions have set the highest priority on the principle of due process, the right of citizens to petition for redress of grievances. Yet the response to lawful petition and democratic strategies is feeble compared to the federal hysteria that is usually evoked in response to those who threaten to tear our cities and our nation apart.

While the foregoing may help to illustrate the nature of the urban crisis, and the factors which aggravate this crisis, it is an even more complex problem than is generally assumed.

Therefore, in addition to measures being used to grapple with the frustration and decay within the cities, there need to be at least three further strategies:

- **Creation of a national job pool.** This means that the federal government must take the responsibility for moving city residents to where the new jobs are, outside of the ghettos or outside of the cities. It also means that the government must make it possible for people to relocate in these new employment centers by providing integrated housing and schooling for the new migrants.
- **A national land policy.** There are now millions of acres of free and idle land, controlled by speculators, where new towns and communities could be built. It ought to be one of the priorities of federal government policy to take over these lands from speculators and utilize them in behalf of our national housing emergency.
- **A national migration policy.** The right of all citizens to move wherever they wish within the society should not be infringed upon. People, after all, are entitled to move to areas which promise them greater opportunities and a better standard of living. What now happens is that the conditions people find in some of the cities to which they move do not match their expectations, thereby making some cities more desirable than others and creating an impossible burden for some. We need, therefore, to eliminate the existing disparities in health and welfare facilities in the different cities—so that all cities will have an equal attraction to those who want to migrate.

One of the ideas proposed to help deal with the urban crisis is that of regional metropolitan planning. Yet there are certain factors in the relationship between counties, cities and states which are inconsistent with the effective operation of regional planning.

There is an enormous number of suburbanites who earn astronomically high salaries in the city, and who daily burden the city's public services and facilities, but pay little or no taxes to the city.

It is the rural and suburban vote in many state legislatures which cuts back on state aid to the cities and which ignores the steadily growing problems in those cities. Further, it is this dominant suburban vote in the state legislatures to which Congress responds when it tries to make an estimate of the problems and requirements of the cities. Since Negroes are scarcely represented in the suburban vote, it means that Congress pays no attention to the needs of Negroes, most of whom now live in the cities.

These facts alone are sufficient to reveal the absurd political position of those Negro militants who claim that the organization of Negro political power in the ghetto is a sufficient means for obtaining the social and economic liberation of the Negro people. The contrary attitude is needed.

We ought to be opening up the suburbs so that Negroes can become a part of that dominant suburban electorate which determines the fate of the cities and the extent of federal allocations. In short, if it is the suburban vote that really counts in the political process by which the problems of the cities are measured and attacked, then the Negro has no choice but to be where that vote is.

No city has enough money and resources to attack its problems all by itself. There are at least two reasons for this. One is that there are too many loopholes in the existing tax structure through which the rich can slip at will. The other is that the migration of big-income families out of the cities is drastically reducing the cities' tax resources. As a consequence, a small prosperous suburb like Great Neck can afford a higher per capita expenditure on education and other facilities than the City of New York.

Obviously, the solution to these and the other massive problems which constitute the crisis of the cities can be achieved only by a program which matches the proportions of the problems. And it is at once an indictment of our large governmental institutions and a credit to the trade union movement that the latter is the only major institution in our society which has an economic program that can match the proportions of the national and urban crises. As we all know, the labor movement is on record as calling for:

- One million public service jobs for persons now unemployed.
- Two and a half million new housing units each year.
- Improved and expanded mass transit.
- Accelerated construction of such public facilities as water supplies, sewage systems, mass transit, schools, hospitals, day-care centers, playgrounds, libraries, museums, clean air and water.
- An expanded Neighborhood Youth Corps.
- Federal subsidy of More Effective Schools and other remedial programs.
- Manpower training that is linked to job placement.
- Restructuring of public welfare assistance.
- Relief of rural poverty, especially in the Southern and Southwestern states.
- Economic planning under federal leadership.

How is a program such as this—which promises fulfillment to trade union, liberal and Negro objectives—to be achieved?

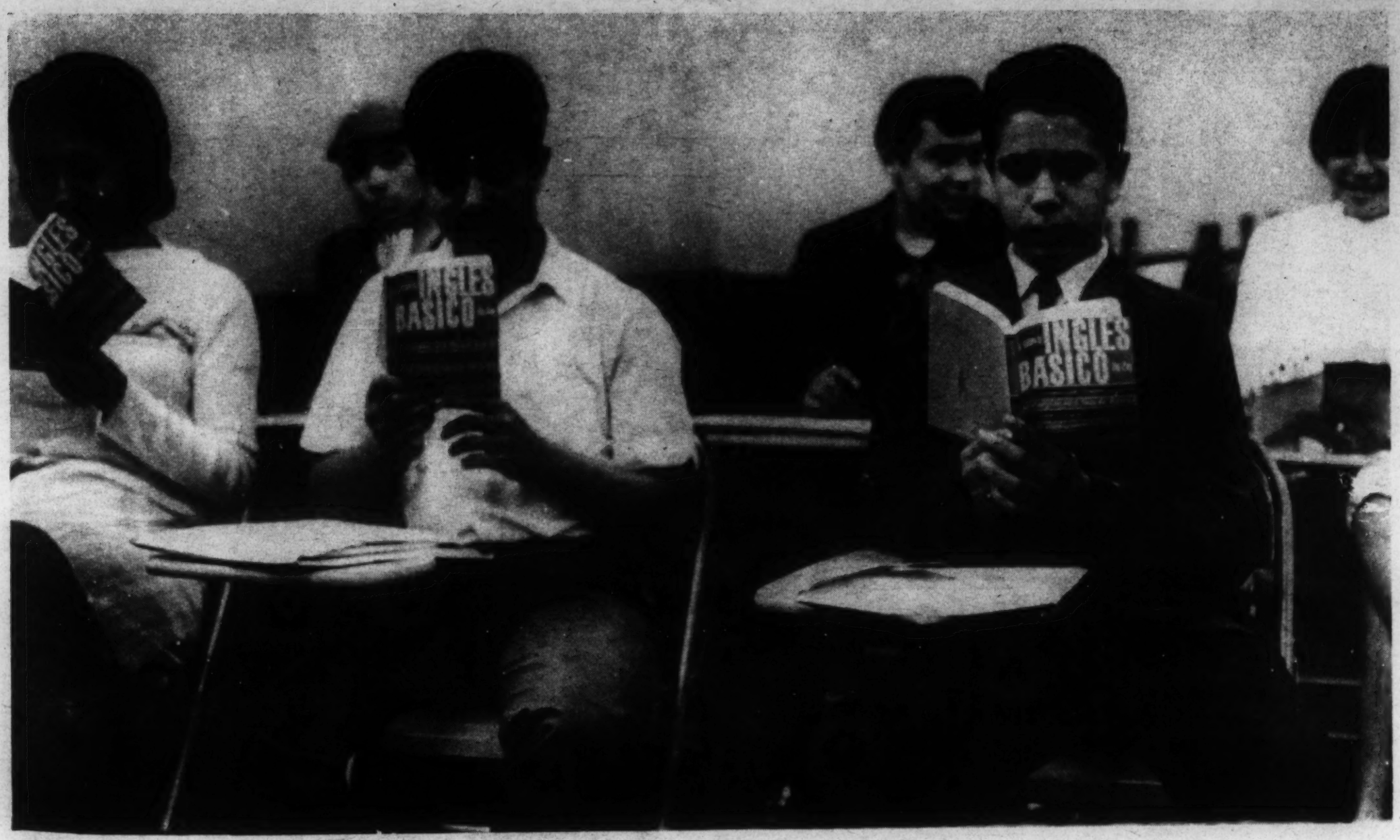
Obviously, if it cannot be achieved without the support and backing of those to whom it means most, then it is imperative that those to whom it means most should form a coalition of political action in its behalf. This, in concrete terms, means a coalition of trade unionists, Negroes, the white poor, the liberal and radical middle class and youth—all working together to form a new democratic and catalytic majority for social change.

The current political campaign gives this potential majority its first chance in four years to work for the election of the kind of liberal Congress which would be favorable to the passage of the massive programs the society needs.

Of course, there is still no consensus among liberals and other groups as to the efficacy of this coalition. But even those who are presently skeptical have no choice but to support those principles, those candidates, and ultimately those programs which the coalition supports—the only programs which have the slightest chance of arresting the drift, frustration, decay and violence of our cities.

Norman Hill formerly was on the staff of the AFL-CIO Industrial Union Department. He presently is a staff member of the A. Philip Randolph Institute.

RWDSU Record 9/15/68



By LEO WOLFF

For 25 years the 11-story headquarters of District 65, affiliated with the Retail, Wholesale and Department Store Union, AFL-CIO, in downtown Manhattan, has been a bustling center of trade union activity. You could fight your way into one of its three over-worked elevators and find yourself surrounded by organizers, lawyers, workers from the shops and even employers. Last summer something new was added—the Training Center of the Distributive Trades.

Not only is the bustling increased by District 65's new labor-management administered training program, but there has been something of a change in flavor. Nowadays the elevator is likely to contain a sprinkling of teachers, psychologists, sociologists, language specialists and, of course, the unemployed youngsters from the ghettos for whom this segment of the three-pronged program was conceived.

Approximately 250 young people already have received pre-job training in orientation courses and have been placed in good union jobs. They become eligible for full union membership after 90 days.

For many this was their first employment opportunity. Some came off the relief rolls.

District 65 was born out of the hunger and despair of the Great Depression as a kind of mid-1930's youth movement. A former generation of unemployed youth had taken the best jobs it could find, formed a union to protect the youth and improve their conditions and then, in many cases, they and those who followed them in the union became unhappy because the jobs were limited in opportunity and interest. It is natural that members of the union should feel strong ties of kinship with unemployed youth of today and welcome them in a common effort for self-improvement.

David Livingston, president of District 65, expressed it when he wrote of the trainees:

"These young people felt defeated before they started. Their dead-end was really at the very beginning of the road. Our members can understand this very well. Although we are working, all too many '65ers' are made to feel that their jobs are dead-ends . . . These common feelings lead to natural bonds of sympathy and understanding among youths in poverty and 65ers."

The District 65 training program, in its other two phases, Job Upgrading and Higher Horizon, is designed to break down the dead-end walls for both the unemployed youth and the older members of the union.

In past years, the District 65 Employment Office attempted to make its surplus jobs available to the unemployed through various civic agencies. Results were not encouraging. Many young people were turned away because they could not properly fill out applications. Some failed to get past interviewers when a little coaching might have turned the trick. Others were hired but they had come from backgrounds that left them ill-prepared for a work experience and their jobs were short-lived.

Today the batting average for job applicants is so much higher that the training program is able to place practically 100 per cent of its recruits. Before a trainee tries for a job he has four weeks of general introduction to industry. If there is a need for instruction in basic arithmetic or language the course is somewhat longer.

Trainees receive a stipend of $40 a week while attending classes.

While training they go on field trips to District 65 offices and warehouses and gain information about the various jobs and industries in the union. They have an opportunity to talk about the job with employers and employees, including union stewards. Employers are encouraged to talk about the standards they expect their workers to meet; also job conditions and opportunities for advancement.

Stewards and organizers have the responsibility of seeing that trainees get a fair trial when they are hired. In the shop an older member, or "buddy," is assigned to help them over the rough spots.

New York City's Human Resources Administration granted the Training Center $693,000 for an initial 8-month period beginning with June 1967. It has since provided another $435,000 for the subsequent five months. Union and employers also are responsible for some financial support, but the real importance of their contribution lies in other areas.

District 65 has approximately 1,000 collective bargaining contracts in such industries as major department stores, offices and warehouses of big shoe and apparel chains, direct mail, cosmetics, light manufacturing and wholesale distributors of textiles, dry goods, shoes, garment supplies and other items. A lot of hard application by both labor and management is going into the complex business of weaving this broad variety of human and commercial resources into a comprehensive training program.

It is in the Job Upgrading program that management has shown its greatest interest, thus far, and is making its most important contribution. This is to be expected considering industry's need for better trained and higher skilled workers.

Currently there are Job Upgrading programs in the corrugated industry, direct mail, office and shipping. They represent only a beginning and it might be useful to examine what is happening in the corrugated industry, the most advanced industry in the upgrading program, to get some idea of what will come.

Last January the first 21 members from District 65's corrugated box manufacturing shops received certificates of graduation after they completed the institutional part of the upgrading course. It was an emotion-charged commencement exercise attended by top ranking union leaders, employers and the rank-and-file.

The corrugated program consists of 72 hours of institutional training at the center. Trainees come after a day's work in the shops or, in the case of night workers, before they go to their jobs. This phase is followed by from 160 to 440 hours of on-the-job training at their shops.

By agreement with the labor-management committee, which administers the program, each trainee receives the three-month experience rate for the higher classification for which he is being trained. Trainees are guaranteed uninterrupted employment in that they are not subject to layoff during either the institutional or the on-the-job phases.

Professional experts in the theory and operation of corrugated industry machinery supervise on-the-job training. Upon completion of this phase the trainee is immediately promoted to the higher classification and, as soon as he is placed in the higher skilled job, he receives the six-month experience rate.

Thus training brings a corrugated worker a pay hike of up to 40 cents an hour. For example, a headsetter with six months experience or more training to be a pressman will move from his old rate of $2.60½ to the new rate of $2.98 when he completes the course.

Union representatives on the corrugated upgrading committee are Leslie Roberts, Julio Reyes, Ralph Wilson, Fred Clayton, Gale Rociemski, Ted Barnes and Leonard Southall.

Representing the employers are Jerome Wallerstein of the Metropolitan Container Council, Stanley Winniecoff of Republic Container, Arthur Seward of Standard Corrugated, Harold Kroll of Grand City Container and Larry Ernst of Manufacturer's Corrugated.

Leading the graduation exercises was Mr. Roberts, who noted that Mr. Winniecoff had, among other things, played an effective role in the acquisition of machinery for the upgrading course and saved the program thousands of dollars. Mr. Seward and Mr. Kroll were cited for having

(Continued on Page 12)

Coalition Oct. 11, 1968

Georgia State representative Julian Bond addressed the 688 Conference as one of the guest speakers.

State Rep. Bond Stresses Labor as Key Strength to Right Political Road in '68

Julian Bond, member, House of Representatives, State of Georgia, guest speaker at the Local 688 City-Wide Conference, referred to himself in his opening address as a politician "in a day where there is no candidate to vote for," but later indicated some hope may yet bring about a "new way and put strength in movements that are lagging."

The young, boyish-looking representative, spoke with effectiveness, yet subdued tones. Bond said he came from a section of the country where people are hungry, starving for the very necessities that we take for granted. Among other rights denied his people, Bond cited, "I come from a people who have been in this nation for more than 400 years, working from sun-up to sun-down, fighting for the thing we thought would be important to us."

Though we fought for and gained these things which we thought were important to us Bond said, "we found out later . . . there was no money to pay the bills after we were allowed to eat at the counter . . . no bus fare after we got someplace on a desegrated bus we fought to ride . . . and it made no difference to fight to vote, for there seems hardly anyone to vote for."

Having no jobs after the people have been trained is the real problem Bond stated. "The run of the mill and the right to work and eat are keeping our families hungry and our children naked."

In comparing the rate of employment in relation to whites and blacks in the country today he said, "we are better off today than ever before in this nation, but worse off in relation to income." He declared, there are more minority people working now, "but when we compare our rate of employment, we are worse off now than ever before."

In referring to progress today, Bond claimed, "we are living in a peculiar situation of having more than better and having more than worse." He continued, "We are being denied the most precious rights an oppressed people have ever had before . . . the right to organize."

Labor has been in politics for many, many years in a very successful way, he said. "However, labor has to look at its politics again in 1968. It has to look at the political bosses . . . the kind of boss that starves children and keeps people from voting, tells workingmen they are for them, yet keeps them from working."

The people who represent labor are going to be key decision-makers, he said. The votes are the things you want done, he said, "but what you need and what we need is the right sort of things to be done."

If you think you're going to get this from Mr. Wallace or Mr. Nixon you are dead wrong, he said. Mr. Wallace has never done a humane thing in his entire career, except destroy everything, Bond continued.

In conslusion Bond said, "We are seeking a better life, more jobs and a clearer religious understanding in our nation today. The Statue of Liberty is a known symbol to welcome people coming into our country. To look at her gives one a feeling of security when arriving here . . . a warm feeling. But I would like to think the Statue of Liberty reverses her position sometime and gives that welcome and assurance to my people living here in this country. I would like to think that she says to us, relating to our country, 'Baby, here we are . . . give us your masses as well."

Coalition

Republican National Committee

1625 EYE STREET, NORTHWEST, WASHINGTON, D. C. 20006 NATIONAL 8-6800

NEWS

FOR RELEASE

FOR IMMEDIATE RELEASE
Tuesday, AM 10/22/68

GRAND EXALTED RULER OF ELKS ENDORSES NIXON

Hobson R. Reynolds, Grand Exalted Ruler of the I.B.P.O.E.W. (Elks), has endorsed Republican Richard M. Nixon for President.

In announcing his support, Reynolds said:

"I consider the election of President this year most important for all segments of our population and most especially for the minority groups.

As an interested Negro, I have studied the situation carefully and I have come up with the opinion that for the best interests of our country and all facets of government, Richard M. Nixon is the best person for the office.

I am therefore happy to give him my 100 per cent endorsement and support."

The organization of which Reynolds is the head the largest Negro fraternal organization in the world.

- 30 -

For further information
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Director, Minorities Division
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Coalition

REPUBLICAN NATIONAL COMMITTEE NEWS
1625 Eye Street, N.W.
Washington, D.C. NA8-6800

FOR IMMEDIATE RELEASE
Thursday 10/24/68

PROMINENT BLACKS ENDORSE NIXON

Dateline: Washington, D. C.

Prominent members of the Negro community in professions ranging from religion to music to community service have endorsed Richard M. Nixon for President.

Though their specific reasons for endorsing Nixon vary, they all agree that he is the best qualified man to be president.

Dr. Russell S. Brown of Chicago, General Secretary for the 3-million member AME Church, said in endorsing Nixon:

"I endorsed and worked for Mr. Nixon the last time he ran for President and I endorse him now because I believe he is best equipped to be our President."

Rhythm and blues singer, Arthur Conley, a 23 year-old performer from Atlanta, specifically recommended the GOP ticket to the nation's 10 million black voters, saying:

"I was very impressed by Mr. Nixon's acceptance speech in Miami Beach. After both conventions were over, I personally checked the records of Mr. Humphrey and Mr. Nixon and decided that the Republican candidate would offer a better future for the black man in America."

The President of the National Association of Colored Women's Clubs, Mrs. Myrtle Ollison of Oklahoma City, made a personal endorsement of

Nixon. Her organization is one of the largest Negro Women's organizations in the country.

She said she supports Nixon because she feels as he does that private enterprise must work in the black community to a greater extent than it is now.

Mrs. Ollison also feels strongly that black people must be managers and owners of, as well as workers in, the private enterprise in their own communities, a position Nixon also supports.

Hobson R. Reynolds, the Grand Exalted Ruler of the I.B.P.O.E.W., said he believes this election is important for all segments of the population, but especially for minority groups.

"As an interested Negro, I have studied the situation carefully and I have come up with the opinion that for the best interests of our country and all facets of government, Richard Nixon is the best prepared person for the office.

I am therefore happy to give him my 100 per cent endorsement and support," Reynolds said.

The Elks, which Reynolds heads, is the largest Negro fraternal organization in the world.

The two top leaders of the Universal National Industrial Voters League in New Orleans also endorsed Nixon.

George Clark, Chairman of the organization, and Charles A. Morgan, co-Chairman, both endorsed the Nixon-Agnew ticket.

The League is one of the largest and most powerful political groups in the state.

In making his endorsement, Clark said he supports Nixon because of his 7-point plan "To give the black man a piece of the action."

In Washington, a new group called D. C. Blacks for a 2-Party Voice was formed to develop a power base for the Republican Party in the city in the event Nixon wins.

The group, which has endorsed Nixon, said:

"Not one black man of national stature has enthusiastically or even warmly endorsed Hubert Humphrey, whereas Nixon has been endorsed by Negro leaders among which include Mrs. Myrtle Ollison..."

The new group has about 50 members, and its organizers expect that at least 1,000 persons will have joined it before the election.

- 30 -

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REPUBLICAN NATIONAL COMMITTEE NEWS
1625 Eye Street, N.W.
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FOR IMMEDIATE RELEASE
Thursday 10/24/68

LOUISVILLE ATTORNEY ENDORSES GOP TICKET

Dateline: Washington, D. C.

On October 21, 1968, J. Earl Dearing, Negro attorney and local GOP leader of Louisville, Kentucky, endorsed Richard M. Nixon for the Presidency.

Mr. Dearing said:

"There is no question but that Mr. Nixon and Mr. Agnew have favorable civil rights records in the traditional sense of the term. Equally signigicant, if not more important, Mr. Nixon has manifested in public statements a commitment to aid, assist and motivate Negro citizens to greater participation in the economic mainstream of America."

"Recently, Mr. Agnew clarified his hard lines position on the right of protest by stating that the right to dissent and actively demonstrate dissatisfaction within the limits of free speech are guarantees precious to Americans."

"I am convinced that Mr. Nixon and Mr. Agnew will do more to solve the human and economic problems facing our cities than Mr. Humphrey and Mr. Muskie."

"Despite the long period of control of the White house and the Congress by Democrats, the cities of America are still characterized by overcrowded ghettos and abject poverty.

The Democrats have failed. The Democrats do not have the cure for the ills of our cities."

"I give my endorsement to the Nixon-Agnew ticket with the confidence that both men will stand solidly behind equal justice and progress for the people of all race."

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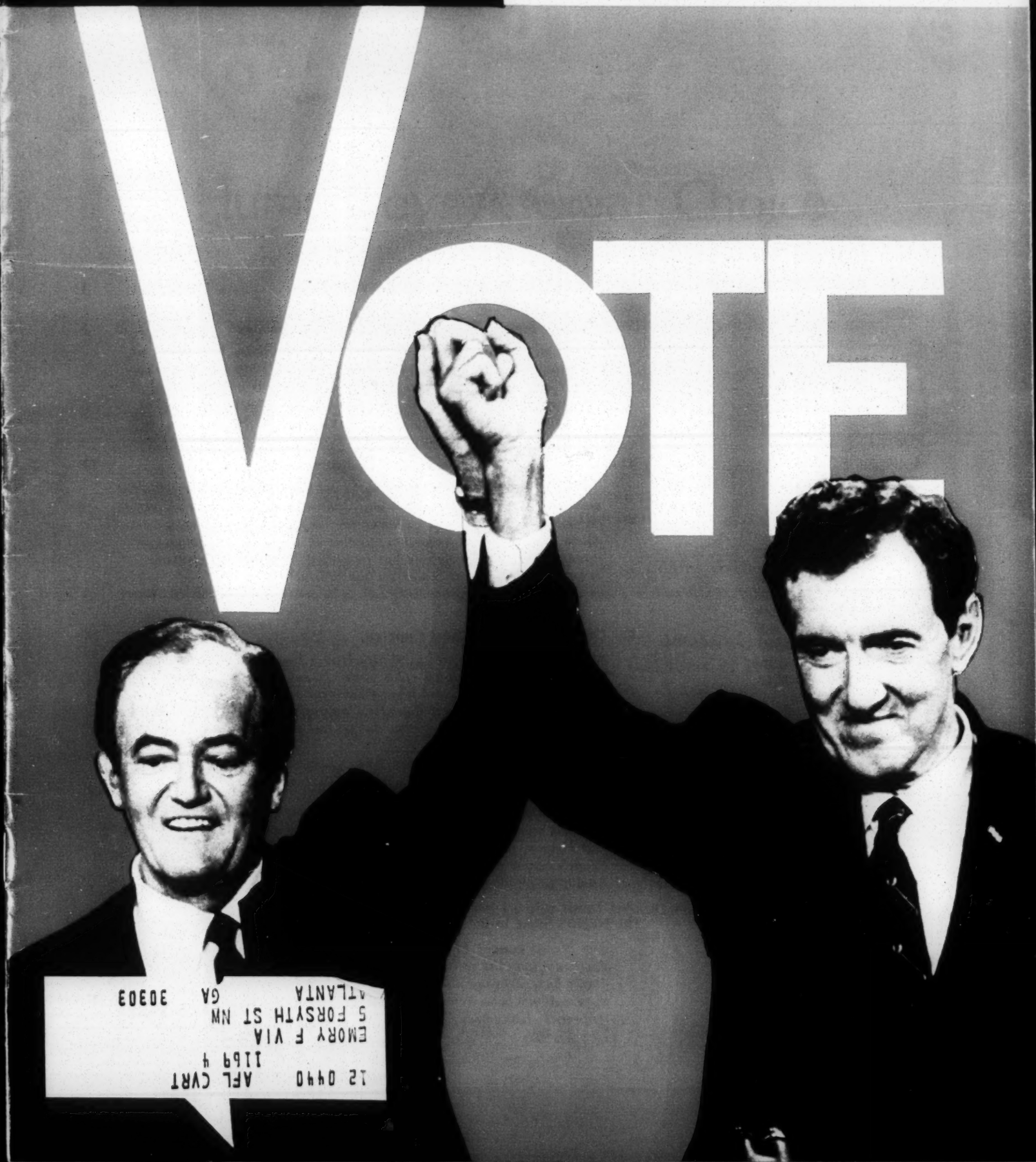
Coalitions

The American Federationist

OCTOBER 1968

Why Labor Endorses Humphrey and Muskie



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5 FORSYTH ST NW
ATLANTA GA 30303

Coalitions Public Employee Dec, 1968

Negro leader praises SCME fight against discrimination

By Whitney Young

(Editor's Note: The following article by the director of the National Urban League and a recognized leader of the Negro community, was syndicated by Scripps-Howard newspapers.)

Organized labor has been taking a licking these days. It has been blamed for everything from rising prices to job discrimination. Events like the New York Teachers' strike that aimed at killing community control of the schools haven't helped labor's image among black Americans. But much of the criticism of the labor movement is unfair.

I believe that, when we look at the whole picture, labor is strongly on the side of social justice and equal rights. It performed a great service in pulling the rug out from under George Wallace's attempts to rack up a large blue-collar vote for his message of hate. The AFL-CIO did a wonderful educational job, showing its members the dangers that the Wallace candidacy meant for their jobs and paychecks.

Grape boycott mounted. Organized labor has backed the strike of the California Farm Workers, predominantly Mexican-Americans suffering from the same discrimination blacks know so well. It helped to mount the nationwide boycott of grapes that we all hope will result in a fair union contract for those beleaguered Farm Workers.

Many unions are in the vanguard of fighting for the rights of the black man. It may be unfair to single out only one since there are many whose contributions too often go unnoticed, but the American Federation of State, County and Municipal Employees, AFL-CIO, is doing a yeoman job of organizing underpaid, often unskilled black workers, helping them to win dignity and higher pay.

Its international president, Jerry Wurf, helped to bring about a union contract for the Memphis sanitation workers after the long struggle that tragically cost the life of Dr. Martin Luther King, Jr.

LEAP program cited. The construction trades unions have historically had bad records, freezing black workers out of high-paying jobs. But we shouldn't let the past blind us to some of the progress they're making. In the first six months of this year, minority group apprentices in these unions have nearly doubled in number. More than half of the dramatic increase came through efforts of a joint Urban League-union program called LEAP (Labor Education Advancement Program).

It's just too glib to blindly talk about union discrimination and anti-civil rights activity without taking into account the fact that just the reverse is true for the mainstream of the labor movement.

Of course, much more needs to be done. Negroes have always been among the most loyal unionists, but too many unions have been too slow to give black people their rightful share of power—choice organizing jobs or union leadership posts. And many still have far to go in recruiting black workers for apprenticeship programs and in organizing sweat shops in low-paying industries. All unions ought to be educating their numbers to the dangers of bigotry, and to the fact that racism damages white workers as well as blacks.

Building bridges. But on the whole organized labor is as good a friend of black efforts for equality as exists in our imperfect society. We've got to work closely with those who support us, and keep trying to convince laggard unions that their own self-interest lies in building bridges to the black community.

The anti-union bias that seems to be growing is an indication that labor's gains aren't wholly secure, and that they are vulnerable to anti-union backlash. They need allies, and greater labor involvement in the fight for equal rights is the best way for labor to insure the support of the black community and America's idealistic young people.

Memphis struggle brings SCME Urban League labor honor

President Johnson (top photo) receives a standing ovation. SCME President Jerry Wurf accepts award and congratulations from Urban League Executive Director Whitney Young Jr. (center, left photo) and IUE President Paul Jennings. Henry G. Parks, president of H. G. Parks, Inc. (left, lower right photo) chats with Jacob S. Potofsky, president, Amalgamated Clothing Workers, and Wurf.

New York City

SCME and International President Jerry Wurf received the National Urban League's Equal Opportunity Day award for their part in the successful struggle to bring union recognition—and with it, dignity — to the Public Works employees of Memphis.

The award cited SCME as the union "which has made the most significant contribution to the Urban League's goal of equal opportunity for all Americans."

Wurf, in accepting the award, told the audience of 1,800 that "black people want to be part of the mainstream of America, but they do not want to be patronized. They want equal opportunity for and recognition of their accomplishments."

Born of discrimination. The Urban League, noting that the Memphis strike was born of an act of racial discrimination, said:

"The incident itself was minor, but it symbolized the inferior status in which black city employees had long been held. SCME risked all to win that strike — its power, its prestige and its future in the South. The grievances of a relatively few black workers escaped into a confrontation that ranks Memphis among the great battles in American labor history.

"It was a coalition of the union and the black community that won Local 1733 almost everything it fought for: recognition, a substantial wage increase and a system of seniority that would insure the appointment of black supervisors for the first time—plus human dignity!"

The door was opened. Paul Jennings, president of the International Union of Electrical Workers (IUE), the 1968 recipient of the honor, said SCME's Memphis victory opened the path to unionization of low-paid workers, black and white, throughout the South.

President Lyndon B. Johnson, a surprise guest at the dinner, told an applauding audience that "despite the blind anger of some men and the apathy of others, we shall overcome."

Urban League Executive Director Whitney Young Jr. praised Wurf and SCME for their "leadership in the fight to bring equal opportunity and dignity to black men."

Membership cards for 1969 being mailed to members

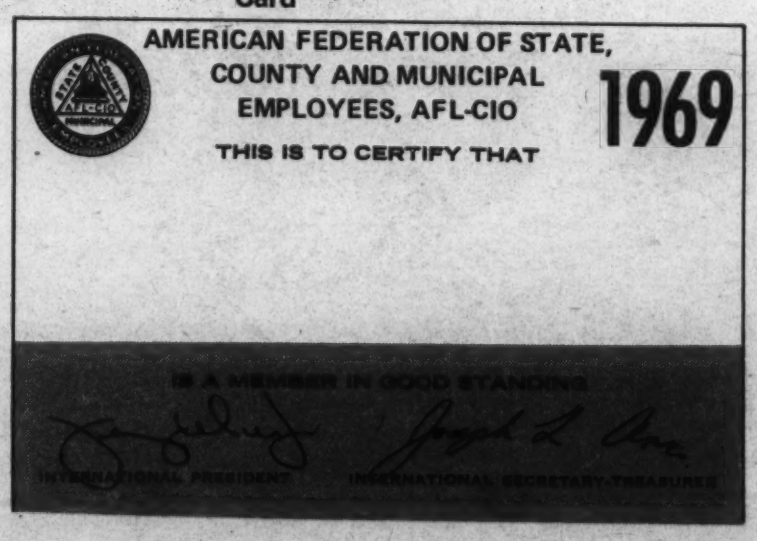
Washington

The new 1969 membership cards are being printed. They will be mailed to all SCME members soon.

In the past there were two types of cards—one for those on payroll deduction, another for member who paid their dues in cash. Now there will be one card for all members.

As members are added to the International roster welcoming letters and cards will be mailed. Below is a sample of the new cards.

Here is your 1969 AFSCME Membership Card


AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO
1969
THIS IS TO CERTIFY THAT
IS A MEMBER IN GOOD STANDING
INTERNATIONAL PRESIDENT
INTERNATIONAL SECRETARY-TREASURER

5-10-69

At 80th Birthday Tribute: AFL-CIO News 5/10/69 Coalition

Labor, Civil Rights Coalition Reaffirms Randolph's Goals

By Saul Miller

New York—The labor-civil rights coalition gave A. Philip Randolph an 80th birthday present—a rededication to his goal of "total liberation" of the American Negro.

The leaders of the coalition turned out 1,500 strong in a vivid demonstration of unity and voiced their determination to carry on the work that Randolph had dedicated his life to.

The entire scope of the labor movement was represented, along with the religious faiths, Negro organizations, government leaders and many others. They crowded the grand ballroom of the Waldorf-Astoria Hotel to pay tribute to Randolph and add to the coffers of the A. Philip Randolph Educational Fund to finance voter education and registration projects in black communities to strengthen the labor, liberal, Negro alliance.

And at the conclusion they heard Randolph eloquently lay down the principles by which the coalition must continue to be guided:

"We must reject confrontationism, and together reaffirm the necessity for democratic means of political protest.

"We must reject violence and together reaffirm the power and the wisdom of non-violence.

"And we must reject racial separatism and together, with the conviction that one day our nation can cease to be divided within itself, reaffirm our abiding faith in integration."

AFL-CIO Pres. George Meany, reviewing Randolph's accomplishments and the gains in the trade union movement in the battle against discrimination, declared there is "no room for complacency."

Randolph, he pointed out, in founding the Brotherhood of Sleeping Car Porters in the face of all-out opposition of the Pullman Co., laid down the basic principle that black workers must be organized and become part of organized labor. Randolph's advice to Negro workers to get into the labor movement and win support for the fight against discrimination was critical to strengthening both the Negro and white worker, Meany said.

The American labor movement has responded to Randolph's leadership, sometimes too slowly, Meany added, but it has come a long way and is determined to wipe out the last vestiges of discrimination with renewed emphasis on job upgrading and training.

Randolph is no longer alone in the struggle as he was in the early

(Continued on Page 3)

Marks 80th Birthday:

Tribute to Randolph Reaffirms His Goals

(Continued from Page 1)

years, Meany said, and the AFL-CIO and all its affiliates are working to reach all workers at the local level to carry the message of equal rights.

Roy Wilkins, executive director of the NAACP, following the AFL-CIO president, noted that Meany has worked closely with Randolph and has worked effectively in the civil rights movement and that the AFL-CIO has been the bulwark of the Leadership Conference on Civil Rights.

Mrs. Martin Luther King, Jr., told the dinner that she had come from Charleston, S.C., where she has been aiding the striking hospital workers and that Charleston has now become a national test of conscience, that the labor civil rights coaltion is a reality here and the battle must be won.

Randolph, she said, had always been a great inspiration to her late husband and a source of encouragement. Randolph gave him advice and counsel, she said, adding, "thank you for myself and Martin Luther King."

Bayard Rustin, executive director of the A. Philip Randolph Institute, served as toastmaster and introduced New York Gov. Nelson H. Rockefeller, New York City Mayor John Lindsay, and C. L. Dellums, president of the Sleeping Car Porters succeeding Randolph who retired from the post last year.

Paying tribute also to Randolph were Msgr. Gregory Mooney, for Terence Cardinal Cooke; Dr. John C. Bennett, present, Union Theological Seminary, and Isaiah Minkoff, executive vice chairman, National Community Relations Advisory Council.

The tributes were touching and emotional in spots as speakers recalled earlier days and difficult battles, stressing Randolph's "prophetic vision," his quiet determination, his courage, his inspiration and his lack of personal animosity.

It was all underscored when George Shirley of the Metropolitan Opera sang some of the lyrics of Negro poet Langston Hughes and when "Oh, Freedom" rolled out over the great hall.

In his response, Randolph expressed his gratification at the "fine representation" at the dinner from all areas of American life, cited Rustin's genius for organizing protest marches and spoke of his admiration and affection for Meany as a man who "when he commits himself to a program will work at it and carry it through. He doesn't pretend to be for something when he isn't."

In dedicating himself to the liberation of the Negro, Randolph said, his major endeavor was to establish an alliance between the Negro and the American trade union movement because the Negroes are a working people and the labor movement is the home of the working man and the only haven for the dispossessed.

The struggle of the Negro masses for social and economic equality has "become irrepressible," he observed. But in the continuing struggle "we must have faith that the society, divided by race and class, and subject to profound social pressures, can one day become a nation of equals."

Harlem Youngster Salutes Randolph

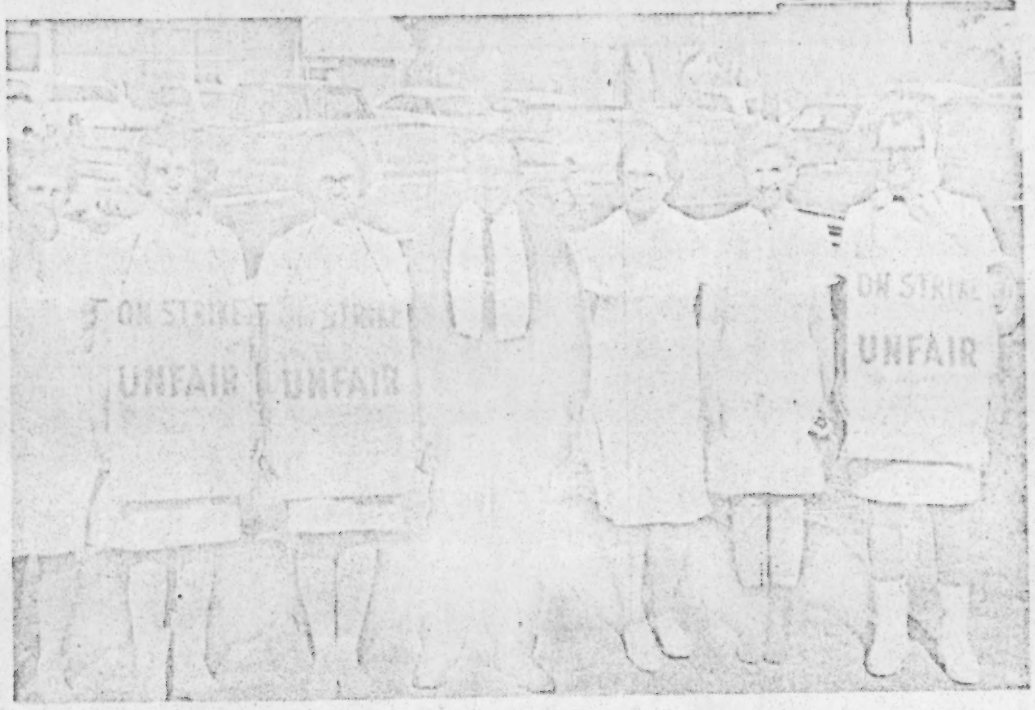
New York—The "generation gap" closed on a prolonged wave of applause here when 13-year-old Tom Powell hopped onto a chair to reach the microphones to pay tribute to A. Philip Randolph.

Tom, a member of the A. Philip Randolph Leaders of Tomorrow, a Harlem-based group of youngsters dedicated to carrying on the civil rights struggle, said simply that Randolph was a great man and his group would make sure that his work was carried on.

CLIMAX OF 80TH BIRTHDAY dinner for A. Philip Randolph came when NAACP Exec. Dir. Roy Wilkins paid tribute to Randolph and presented him with a book of letters from American and world leaders. Randolph, noting the numerous tributes and citing his long and close relationship with AFL-CIO Pres. George Meany, responded with an eloquent plea that the labor-civil rights coalition carry on to win "total liberation" for the American Negro.

RWDSU Record 5-11-69

SOUTH



ON ALABAMA LINE: Newly-organized workers, on strike for union recognition since mid-February, man their picketline at the Whitney Nursing Home in Ashville, Alabama. Among the pickets are two members of the strike committee, Robert Thomas and chairman Elizabeth Eggers (second from right). Council Org. J. H. (Chuck) Foster is heading the walk-out.

Labor Board Ruling Spurs Drive at Georgia Cannery

copy into "Coalition"

file

ZEBULON, Ga.—The NLRB in Washington has upheld Local 315's charges that the Besco Products Co., canners of fruits and vegetables here, engaged in unfair labor practices and refused to bargain in good faith with the union.

Int'l Rep. Guy Dickinson, who filed the charges in February, said he was highly gratified at the NLRB ruling and hoped it would pave the way for the resumption of negotiations for a first contract with Besco.

The Besco Products case, which dates back to last September, presented a number of aspects not usually found in labor disputes nowadays.

On one side was William Edwards, the town's most prominent citizen, who not only owns Besco but also controls a second-hand car lot and a bank. Opposed to him were Negro workers who are employed nine months a year at most, at rates that barely reach the Federal minimum.

On Sept. 5 the workers walked off their jobs in support of a boycott of the town's school system resulting from the hiring of a white principal to replace a Negro who had resigned. Under the direction of the Southern Christian Leadership Conference, almost the entire Negro community of Zebulon joined the boycott.

One of the boycott leaders was Robert Curtis, shop chairman at Pomona Products plant in Griffin, 15 miles away, who lives here.

In support of the school boycott, the Besco workers walked out of the plant; soon afterward they got in touch with Curtis and said they wanted to join the RWDSU.

Org. Hershel Holmes, AFL-CIO staffer Jim Freeman, Dickinson and Curtis proceeded to sign up some 200 employees, a large majority of those working at the plant.

After a number of attempts to arrange a meeting with the company failed to get any response, the workers set up picketlines Sept. 9. The company retaliated by releasing its pimento growers from their contracts and later closed down the plant.

Union Responds

The union responded by petitioning the NLRB for a bargaining election.

At a board hearing Sept. 30, the company contended the employees had quit when they struck.

About 25 employees, mostly white, work the entire year, but when the canning season is at its peak, from June to November, the force is expanded to 300 workers, nearly all Negro.

Conditions and wages in the plant are very poor.

Some employees have worked at Besco for 30 years and earn only $1.60 an hour. They don't punch time cards; the supervisor simply jots down what he thinks the worker should be paid. None of them has ever had a paid holiday, a vacation or almost any other benefit.

Some years ago the company was found to have violated the Wage and Hour Law, and the U. S. Dept. of Labor ordered Besco to reimburse the workers for the differences that were uncovered. The company sent out checks, but later coerced the employees into returning them.

'441' To Open Talks

The professions

A Senate diagnosis of medicare bills

The Senate Finance Committee is about to charge that too many doctors, dentists, optometrists, pharmacists, hospitals, and nursing homes have been playing fast and loose with the government's multibillion-dollar medicare and medicaid programs. The charge will be backed by information collected during an investigation under way since February.

Shock waves from the charge may make it harder than ever for the Nixon Administration to take a thankless decision: to boost the monthly levy on the aged for medicare's medical insurance trust fund. The levy, increased by a stiff 33% only 14 months ago, must be raised again—perhaps to $5—to meet the fund's deepening deficit.

Some of the Finance Committee's findings have already been spelled out by Delaware's hard-bitten Republican John J. Williams, one of the Senate's most tenacious investigators, and by Finance Chairman Russell B. Long, the Louisiana Democrat who is a free-swinging advocate of bigger and better welfare programs.

Bitter pill. They have told the Senate of some startling discoveries:

- ". . . . In 1968, the medicare program paid $25,000 or more to each of at least 5,000 physicians. . . ."
- ". . . . Thousands of health practitioners—doctors, dentists, optometrists, and others—were each paid $25,000 or more under the welfare health programs [medicaid] in 1968. The total number is not yet known. . . ."
- Medicare average payments for "common surgical procedures" run as much as two to four times as high as Blue Shield maximums for the same operation.
- Patients and employees up and down the medicare system are pouring in letters and reports citing specific instances of kickbacks by therapists working with nursing homes; payments for services never rendered; "gang visits" by physicians to 20 to 40 patients at a single time in nursing homes, with each patient billed separately at full fee.

The Finance Committee report, to be released near the end of this month, will wrap up a lot of additional data. Then, says Chairman Long, "I anticipate that the committee will want to begin formal hearings."

Heal thyself. The American Medical Assn. has issued a statement offering to "cooperate with the Finance Committee," saying it "shares" the committee's concern. Several medical societies, AMA said, have expelled members who were found to have charged "excessive" fees or "in some other way exploited the program."

Dr. Gerald Dorman, who becomes AMA president on July 1, said this week that some allegations of overcharging had arisen because "a group filed [bills] under a single doctor's name." He said also that some doctors' fees may have risen sharply if, for example, they formerly had charged older patients only $3 a visit, but now charged their "usual and customary" fee—as specified in the law.

Senator Long pointed out that a physician's name on the $25,000-or-more list "would by no means indicate any wrongdoing or profiteering. He might, for instance, have a large part of his practice consist of medicare or medicaid patients."

Senator John J. Williams

What Long is finding, though, is that loose rules and regulations governing the payout of some $5-billion a year for hospital and doctor bills under medicare "seem to be encouraging some ruthless providers of health services to take advantage of medicare, and of the aged."

Watchdogs. The Senate committee's report will be a prickly present for Social Security Commissioner Robert Ball and other overseers of medicare on the program's third birthday. It will raise sharp questions about the amount of control exercised over the 14 "intermediaries" (mostly Blue Cross associations and insurance companies) who actually pay hospital bills under medicare's Part A, and the 59 "carriers" (mostly insurance companies) who pay doctor bills under Part B, medicare's voluntary supplementary insurance.

The report will list average medicare payments to physicians for eight "most common surgical procedures," and compare them with maximum fees for the same operations under the most widely held Blue Shield contract in the same geographical area. Williams has told the Senate that "medicare's average payment runs as high as two to four times as high as Blue Shield maximums"—and, in two areas, a cataract operation costs medicare "more than four times as much as the Blue Shield allowance," on average.

Fundless fund. Despite what Williams describes as medicare's "pattern of inflated payments," the hospital insurance trust fund (which finances the Part A program from assessments levied on all wage earners) is in good shape. Even so, Health, Education & Welfare Secretary Robert H. Finch—as part of President Nixon's April budget-trimming operation—announced a cut in medicare payments to hospitals.

But the medical insurance trust fund (which collects premiums and pays doctor bills under Part B) is doing poorly. By yearend, Finch must decide how much to raise the monthly premium (and matching contribution from the Treasury) to get the fund back into fiscal trim.

The fund had an accrued deficit of $155-million last January—and is expected to go deeper into the red—partly as a result of a decision taken by Finch's predecessor, Wilbur J. Cohen. Last December, then-Secretary Cohen decided to hold the monthly premium at $4 for Part B's 19-million oldsters. The premium, originally $3, had already been hiked $1 in April, 1968. By keeping it at $4, Cohen had hoped to pressure doctors and medicare carriers to limit their fee increases.

Unions

Coalition talks in GE's future

see over

Employers got another setback this week in their fight against coalition bargaining by unions: The U. S. Court of Appeals in New York upheld a National Labor Relations Board decision that a multiunion bargaining committee may confront management as long as there is no "substantial evidence of ulterior bad faith" and if negotiations are solely in behalf of those under a specific contract.

The ruling was in a case brought by the International Union of Electrical Workers against General Electric Co. But it has implications for all employers who must deal with more than one union. It holds that "cooperation between unions is not improper, up to a point." And it upheld the right of NLRB "in the first instance to determine whether the line has been crossed."

Reaction. Paul Jennings, president of IUE, hailed the ruling as "a landmark decision for real and effective bargaining." The IUE is spearheading a coalition of 10 AFL-CIO unions scheduled to begin formal talks next month with GE and later with Westinghouse Electric. The ruling shores up the labor bargaining strategy, says Jennings, since it "implicitly recognizes the right of unions to meet a company's

unified and centralized concentration of its own bargaining." The reference is to GE's bargaining practices covering some 80 unions.

For its part, GE was considering an appeal at midweek, even though the company found "some encouragement" in two points of the court ruling: The three judges held that GE had a right to insist on meeting with a "traditional" IUE-only committee in preliminary discussions before formal talks opened, and the court limited multiunion bargaining to matters that pertain directly to the employees under the IUE contract.

Background. GE may delay a decision until after another federal appeals court rules shortly on a case involving 3M Co. The substantive issues are the same, except for a matter of timing: GE balked at meeting with an IUE committee that included "stranger unionists" in mid-1966, before formal bargaining began, and continued to do so for a short time afterward. But 3M is charged with balking at coalition talks after formal negotiations began.

In a copper industry case, NLRB decided earlier this year that unions may not engage in coalition bargaining if they insist on a common contract expiration date, a settlement to be applied equally to each union and each bargaining unit, and acceptance by the company or industry of a demand that settlements must be reached for all union operations before any agreement can go into effect.

copy to (R.C.) 4/7/69 Coalition

Economics Downgraded:

Coalition's Stress on Esthetics Leaves Basic Needs Unsolved

The following is excerpted from an article by Gus Tyler, assistant president of the ILGWU, in the June 9, 1969, issue of The New Leader. The article, "Coalition of the Comfortable," is one of a series on the outlook for political liberalism.

THE TOPSY-TURVY sociopolitics that transforms the rich into liberals and the workers (especially blue collar) into conservatives, flows from an earlier theory which asserts that the struggle for riches in America has been replaced by a new conflict over spiritual goodies. Before the ADA Roosevelt Day Dinner in January 1967, Arthur Schlesinger, Jr., put it with his usual clarity. "The issues are no longer social and economic so much as they are cultural and moral," declared the distinguished historian and involved liberal. Then he went on to explain why:

"The New Deal program tackled the elemental tasks of the American people—a job, a suit of clothing, three meals a day, a roof over one's head and a measure of security for old age. Because the New Deal secured the basis of life for so many, contemporary liberalism has been able to move on to qualitative tasks—to measures, in other words, designed to improve the quality of life in an industrial society. These are the issues of civil rights, of civil liberties, of education, of urban planning, of the state of the arts and the beauty of the environment."

Schlesinger's historic premise is, of course, both accurate and pertinent. In the mid-30's, one-third the nation was "ill-fed, ill-clothed, and ill-housed." Thanks to the work of Roosevelt and Truman, these traditional "ills" plague only one-eighth the nation. But does this really mean the "issues are no longer economic"?

To begin with, the one-eighth thanks to population growth, is almost as numerous as the old one-third. And because millions of poor have in recent decades moved off the soil into the overpressurized cities, they are more discontented than the oppressed of 30 years ago. On top of that, the woes of the bottom, especially in the cities, are tinged with black and hence doubly incendiary.

But it would be a mistake to assume that the problems of poverty are restricted to the urban Negro. About three out of four of those officially listed as poor are in the "dominant" white community. In New York City (which is not part of Appalachia), white indigents outnumber black by three to two. And the whites who have moved out of poverty, thanks to the New Deal, would now like to live like the affluent—house with a backyard, kids in college, a few extra bucks for that bankrupting hospital bill.

Their expectations—like the expectations of the blacks after the passage of civil rights legislation—have risen. Indeed, in both races the desire is to get the green stuff needed for the good life.

None of this should come as any surprise to liberals—particularly if they come out of the radical tradition. Radicoliberalism was always more than a politicized Lady Bountiful, lifting bums off the floor and forgetting them once they learned how to stand erect.

A progressive movement with long-range social objectives does not count on losing its mass base once the worst is over, it assumes a steady drive until all enjoy both ease and income. Only in this post-economic utopia will men turn their prime attention to "the state of the arts," the "beauty of the environment," and the cultivation of culture.

TO SUGGEST that America has already reached this state of grace is to exaggerate the accomplishments of the New Deal and to understate the plight of some 80 percent of the population. It must be granted, of course, that since the 1930s, a fairly numerous new class of incomed intellectuals has developed, part of which draws spiritual and material sustenance from a primary involvement in the arts, the environment, education, urban planning, and other quality items. In their tight circle, public talk is more about beauty than the buck.

But as vocal and vital as this stratum may be, it is only a slight sliver of the nation. Most people—including the very rich—are profoundly concerned about money and social status that it often confers.

What has happened to some progressive ideologues in the last three decades is that, as they moved from radicalism to liberalism, they moved also from the Marxian to the anti-Marxian view of man. To Marx, man the political animal was, first of all, man the economic being. The new theories rest on man's etherial attributes. Hence, proponents of the "New Politics" end up with "movements" based not on class interest but on the literary inventions of the pundit.

The truth is that in shifting focus from economics to esthetics (though I personally prefer the latter to the former), the basic and burning need to redistribute the wealth of America is forgotten. Yet it is precisely this continuing maldistribution of income and wealth that has weakened the liberal coalition: turning workers against the taxes of the welfare state; poor against near poor; white against black; blacks against one another. To solve all this by substituting esthetics for economics is in effect telling the nation that if it lacks bread it should eat crepe suzettes.

The old coalition did and does make sense, because it rested on an ancient verity: the need to earn a living. The program of this coalition, of course, must be updated; its philosophy needs restating; its organization needs an infusion of new blood.

In that process, the liberal intellectual can play a role.

By Press Associates, Inc.

SINCE MOST AMERICAN citizens rely heavily on the postal service to maintain essential contacts with family, friends and in business, most of us have a vested interest in proposals to replace the Post Office Dept. with an autonomous, self-supporting government corporation.

Pres. Nixon has officially endorsed such an operation.

Most Americans have two basic concerns relative to the postal service: will it be a reliable, efficient service and what will be the cost.

The U.S. postal system has always been a federal service. The Continental Congress established postal services which replaced a colonial system set up by the British prior to the Revolutionary War.

And when the federal union was established a postal service was authorized in the Constitution with the single sentence: "The Congress shall have power . . . to establish post office and post roads."

Behind these actions a fundamental controversy arose: should the post office be a service for the American people or should it be a revenue-making, profit-making enterprise.

Some Federalists, particularly Secretary of the Treasury Alexander Hamilton, conceived that the post office would be a revenue-producing agency which each year would turn over to the Treasury a good proportion of its profits.

The Jeffersonians challenged this view. Their idea of a postal service was that any surplus should be used to extend the service and make it more efficient and better serve the people.

Jefferson and his supporters believed that the more profitable eastern routes would serve to support mail service in the frontier regions.

The postal service also played an important role in our highway system. The Constitution said that it was the federal responsibility to construct post roads. In 1801 there were 20,000 miles of post roads. By 1812 there were some 50,000 miles. It continued to zoom.

Over the years postal subsidies have assisted various forms of transportation—shipping, stage coach, waterways, railroads and airlines.

From the days of Benjamin Franklin, though, the prevailing American concept of a postal system was one which made possible distribution of the printed word, whether it be letter, newspaper, magazine or book. In a free society, it was felt, low-cost communications was essential in uniting the people.

Around the late 1830s the postal service ran into difficulties. It was costly and its efficiency left much to be desired. The railroads started skimming the cream off the top with private service.

THROUGH THE YEARS new services were provided the American people: free city delivery in 1863; special delivery in 1885; rural free delivery in 1896; postal savings in 1911 and air mail in 1918.

First class and later air mail pretty well paid for itself. Some of the other classes of mail—such as newspapers—performed essential services. And certainly business was being subsidized by third class mail.

During this period the Post Office Dept. went deeper and deeper in the hole. The American people were using the services of the department more than ever.

Few question the fact that the Post Office Dept. needs basic reform. Today the service is far below the standards of the past. The question that is facing the American people, though, is whether they should junk the entire system and institute a self-supporting postal corporation. It could well become a costly venture for the American people.

And it comes back to the basic issues fought out by the Jeffersonians and the Hamiltonians—should the postal system be a service for the people or a profit-making venture?

Coalition

LABOR NEWS CONFERENCE PROGRAM 11, SERIES 9

FOR RELEASE: A.M. PAPERS, WEDNESDAY, JULY 9, 1969

Although politics may be the main thrust of the organized labor-black community coalition in the immediate future, "decent jobs at decent pay" for all workers remains the long-range goal, the AFL-CIO's Director of Civil Rights declared today.

"This is not a power game played in order to divide up the spoils," said Donald Slaiman, but to get legislation and programs to help meet the problems. But, he said, effective operation of programs takes not only "people who will pass the right legislation," but "cooperative work in the community and in the workshop" as well.

Slaiman said that the coalition had "one of the better cooperative working relationships ever in registration and getting out the vote" in the 1968 elections. He said that the percentage of the vote was "higher for COPE-endorsed candidates than it ever was in the black community." As a result of its narrow margin of victory, the new Administration has "moved to the (political) right at a very, very slow pace." Slaiman appeared on LABOR NEWS CONFERENCE, a nationwide radio interview broadcast Tuesday at 7:35 p.m. (EDT), on the Mutual Broadcasting System.

The unionist said that the "overwhelming majority of the Negro community" remains interested in integration and peaceful progress, and "is not moving toward separatism and nationalism." But, he cautioned, the civil rights movement and the labor movement -- as well as the militants -- know that"just ending discrimination will not solve the problems of poverty and deprivation, nor even the problems of integration."

"Unless we break up and disperse the ghettos," he said, "we not only will have an intensified apartheid in our major cities, but we will also have a deterioration of the hubs of our total society." And if that happens, he warned, "not only will the Negro youth be lost, but the country will be lost."

Slaiman said that integration of apprenticeship programs is a "very rapidly improving picture," noting that since 1960, the level of black apprentices in registered apprenticeships has nearly tripled. That, he said, is a "more rapid increase on minority participation and a higher absolute percentage than in almost any well-paid part of the labor force throughout the country."

Reporters questioning Slaiman were Frank Swoboda, Washington correspondent for United Press International, and Harry Conn, editor of Press Associates, Incorporated.

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(Text of LABOR NEWS CONFERENCE is available at Public Relations Department, AFL-CIO, 815 16th Street, N.W., Washington, D.C., room 405)

LABOR NEWS CONFERENCE
Mutual Broadcasting System

PROGRAM 11, SERIES 9
Tuesday, July 8, 1969

SUBJECT : Labor -- Black Community Coalition

GUEST : Donald Slaiman, director of the Civil Rights Department, AFL-CIO

REPORTERS: Frank Swoboda, labor correspondent, United Press International
Harry Conn, editor of Press Associates, Incorporated

MODERATOR: Frank Harden

HARDEN: LABOR NEWS CONFERENCE. Welcome to another edition of LABOR NEWS CONFERENCE, a public affairs program brought to you by the AFL-CIO. LABOR NEWS CONFERENCE brings together leading AFL-CIO representatives and ranking members of the press. Today's guest is Donald Slaiman, director of the AFL-CIO's Department of Civil Rights.

The long-standing coalition between organized labor and the black community has been a key factor in molding much of the nation's social and economic progress in recent decades. Here to question Mr. Slaiman about the factors leading to the formation of that coalition, how it functions today and what role he thinks it will play in the years ahead, are Frank Swoboda, labor correspondent for United Press International, and Harry Conn, editor of Press Associates, Incorporated. Your moderator, Frank Harden.

And now, Mr. Conn, I believe you have the first question?

CONN: Thank you, Mr. Harden.

Mr. Slaiman, perhaps the civil rights movement has been pushed off the front pages in recent years by the rush of militant events around the country, but, is there a civil rights movement in operation?

SLAIMAN: Very definitely. The National Association for the Advancement of Colored People is still the largest mass organization.

It has more than 1,500 branches.

It has the chief civil rights lobbyist in the country, Clarence Mitchell.

And, it has on-going influence that doesn't always hit the front pages of the newspapers and television news, because it's not news unless it's dramatic and negative, these days.

CONN: Would you say that the NAACP is the single most influential organization pushing for civil rights today?

SLAIMAN: Yes. Without question.

SWOBODA: Mr. Slaiman, what has been the effect of the black militant movement on the NAACP and on the whole national effort?

SLAIMAN: Well, I think there is a very mixed effect.

The rise of militancy, especially in the very early days of the direct action movement, did a lot of shaking up -- thawed some glaciers.

In more recent times, the effect tends to be more negative, divisive and confusing. These days, unless you identify the speaker, you sometimes can't tell which side he is on. This can be very harmful.

In addition, some of the militant activity has intensified the backlash of people who were already moving toward accepting integration.

However, the fact that there is a good deal of obvious discontent -- that there are obvious problems that people are reacting to -- is not all negative, because complacency is also a big danger.

CONN: Mr. Slaiman, as Mr. Harden noted, there is this working relationship between the civil rights movement and the AFL-CIO. What are you doing in this working relationship?

SLAIMAN: Well, look at the last election -- the last Presidential election -- 1968. It appeared for a while that the old coalition was disintegrating. The liberals -- many of them -- were off in the one-issue area. Many blacks were getting publicity by saying, don't vote -- it doesn't make any difference -- go fishing -- or vote for some splinter candidate like Dick Gregory or Eldridge Cleaver. Yet, we probably had one of the better cooperative working relationships ever in registration and getting out the vote, through the A. Philip Randolph Institute's activities with Negro trade unionists, with the NAACP and other civil rights groups.

The precentage of the vote -- in spite of all the agitation and in spite of all the negative publicity -- was as high or higher for COPE-endorsed candidates than it ever was in the black community. The result was, against great odds, we almost won the election with that old coalition of Negroes, and Mexican-Americans, and old people, and youth, and labor, and liberals.

We almost put together a winning combination.

CONN: Are some examples of this coalition in some of these mayoral races? I'm thinking of how close Bradley came to winning in Los Angeles -- something like 46 or 47 percent of the votes And there was Charles Evers' victory in Mississippi -- Mayor Stokes' in Cleveland -- Mayor Hatcher's in Gary, Indiana. Are these all products of the coalition?

SLAIMAN: They are not exactly alike.

Bradley is the clearest example of what you are talking about, Mr. Conn. There was a liberal -- Negro -- Mexican-American -- labor coalition, with some enlightened businessmen and other people of good will voting far stronger for Bradley than they did a few earlier on the fair housing referendum -- far, far higher.

So, although Bradley didn't win, there is no doubt that with only a very small percentage of the vote being Negro -- some 17 or 19 percent--

Bradley got a big percentage of the white vote.

SWOBODA: Mr. Slaiman, you said that the coalition worked so well in the 1968 election that it almost won. But, it didn't win. As a result, we have a new Administration. What has been the impact of this Administration on the civil rights movement?

SLAIMAN: Well, although we didn't win, we almost won. For that reason, the Administration has moved to the right at a very, very slow pace. In fact, the biggest criticism one can have is, it doesn't move at all-- not that it has moved so sharply to the right. Although it has made some hesitant steps here and there to accommodate Senator Strom Thurmond, (R-S.C), he has never really arrived. That is, the pressure of public opinion, the coalition and the fact that the country really didn't move sharply to the right, has maintained, if not a sharp move forward, at least some forward momentum toward implementing civil rights laws as well as maintaining them.

SWOBODA: Do you think the labor-black coalition can keep this pressure going for the next four years?

SLAIMAN: Well, I can't predict that we will be totally successful, but I think we will keep the pressure going.

Clarence Mitchell said at the recent AFL-CIO Community Services Conference, that we should "welcome the support and cooperation of church groups, and business associations, and other constructive organizations. However we must never forget that we -- that is, labor and the civil rights community -- are the foundation upon which the house of freedom is built. If we crumble and fall apart, the whole structure may well collapse."

So, while I can't predict success, I can agree with Mr. Mitchell, that if we don't at least partially succeed, freedom in this country will be jeopardized.

CONN: Mr. Slaiman, I think there is a question on a lot of peoples' minds as to exactly what direction most of the black population is directing itself. Is it directing itself to the established approach of fighting discrimination -- working for peaceful integrated communities? Or, is the great bulk of the Negro population moving toward separatism, black nationalism, and black militance?

SLAIMAN: Well I would say that the overwhelming majority of the Negro community is not moving toward separatism and nationalism. I would say that most are still interested in integration and peaceful progress.

But, the problem is a little more complicated than just maintaining a push toward integration and ending discrimination.

Not only the militants who are frustrated realize that this isn't enough. The civil rights movement, as well as the labor movement, is also aware that just ending discrimination will not solve the problems of poverty and deprivation, nor even the problems of integration.

As Bayard Rustin said, just after the Civil Rights Bill was signed that unless the Negroes in coalition with labor and other groups, move toward solving the basic economic and educational problems of this country -- on the political scene, primarily -- we would enter a period of frustration and turmoil.

And I think he was right.

The problem of reaching the goals of the integration movement -- that is, equality, not only on paper, but in reality -- is much more complex than just eliminating discrimination. To the degree that we do not see results of progress -- where we see an intensification of housing problems in the ghettos -- we see the high rate of unemployment among Negro youth even after we have a federal Fair Employment Practices law -- this frustration leads to the troubles -- the riots -- the tendency towards separatism. But, it also means that unless we solve these basic problems, we aren't doing what we thought we would be doing when we started down the civil rights path.

CONN: Well, what you are saying then, is that unless the Negro youth finds a job -- finds a place in the community -- and has some hope of being able to raise a family -- has a home and is able to live the type of life that most all of us what to live -- that unless he has some hope of doing this, we are going to lose him as part of the basic American community.

SLAIMAN: I would say so. But, even more important than that. Unless we break up and disperse the ghettos, we not only will have an intensified apartheid in our major cities, we will also have a deterioration of the hubs of our total society.

We are an increasingly urban civilization. If that urbanized civilization -- that is, its centers -- are nothing but deteriorating segregated ghettos, it's not only the Negro youth who will be lost, but the country will be lost.

I think that we have as big a problem with white middle-class youth in our colleges as we have with Negro youth in the ghettos, if not bigger.

SWOBODA: Mr. Slaiman, you talk about the main thrust being politics. Is this what you see as the main thrust of the labor-black coalition in the immediate future -- the work of the political system to bring about these changes? Or, are there other programs -- other involvements?

SLAIMAN: The main thrust starts with politics, but that is not an end in itself.

This is not a power game played in order to divide up the spoils -- divide up jobs.

The purpose of politics is to get programs and legislation that will do something about the problems.

In the area of jobs, our first priority is the O'Hara Bill, to assure that the government will be the employer of last resort -- that people who can work, even if they don't have the education, will get decent jobs at decent pay, as a starter.

Of course, just passing legislation is not the solution -- this isn't the early New Deal. We have to put the programs into operation at the grass-roots level -- at the local level --

at the state level. This requires not only a coalition to elect people who will pass the right legislation, but it also takes cooperative work in the community and in the workshop, seeing to it that the good laws that are passed attain the goals for which they were intended.

CONN: Mr. Slaiman, if there is one thing that the labor movement knows, it is jobs. Of course, that is crucial in this whole picture. What, specifically, is the AFL-CIO and its affiliated unions doing now to bring about equal opportunity for jobs among all people?

SLAIMAN: Well, there are several areas. They are all important.

One is legislation, both on the anti-discrimination front and on the job-creation front.

Two, programs to implement these laws. Here again, we have an on-going program to involve our affiliates in ending discrimination within their own locals and resolve complaints on a constructive basis.

We also have the AFL-CIO Human Resources Development Institute, which is putting manpower specialists to work at the local level in a number of programs. They are cooperating with those companies that are hiring the hard-core unemployed, and developing buddy systems to see that our locals cooperate and that our members don't backlash to the hiring of what are generally under-qualified minority group workers.

This is a new program, Mr. Conn. We already have recruited a national staff and 50 field staff -- that is, in 50 major cities there are now Human Resources Development Institute field representatives working with the central bodies, with the National Alliance of Businessmen, and with local unions, helping them develop buddy systems. In the future, these men and women will be working with other manpower programs, many of them union-instituted manpower programs -- in construction and other industries.

Beyond what the employers do, the unions are developing their own manpower programs to up-grade the skills, as well as find job opportunities for minority-group youth and for older workers.

SWOBODA: Mr. Slaiman, I don't think there is any doubt about the attitude and actions of the AFL-CIO and the civil rights movement at the top. What about the rank-and-file? How is the acceptance of these programs at that level?

SLAIMAN: Well, when you say the rank-and-file, you are talking about 14 million people. There is no monolithic rank-and-file.

We have every range of opinion within our membership. You really have to talk about how various levels of the labor movement are reacting to various programs.

If you start politically, we find that there was an alarming percentage -- not as big as many people thought -- but to us an alarming percentage of our rank-and-file reacting to Wallace's siren calls. By election time, we had reduced that percentage quite significantly. Our rank-and-file, I would say overwhelmingly -- 60% to 70% -- supports the candidates and the general programs of the labor movement. But, that other 30 to 35 percent is a large group to work on. As you go up the ranks of our leadership, you get a higher and higher percentage identifying with the objectives of the national labor movement. But it is not monolithic -- it is just a higher percentage.

So, when we talk of implementing a program, or educating our people about a program, we start from the position that we have to increase support for the labor movement's objectives. Sometimes we have to be strenuous, otherwise, it can seriously damage our impact. At other times, we just keep doing it to make progress.

We are never in a position to be complacent -- sure that everything is going to turn out alright, because our members are wonderful people.

They are human beings -- they are American citizens -- they need to know the issues -- they need some leadership -- and they need an opportunity to participate with and become part of leadership in the community.

CONN: Mr. Slaiman, there have been some very confusing statistics abroad in recent years as to the amount of integration in apprenticeship training programs. Many people try to use this as a barometer of how much, particularly the crafts, are integrating. From the information you have, what is the picture?

SLAIMAN: It is a very rapidly improving picture.

In 1960, the statistics showed that of registered apprenticeships, slightly more than two percent were non-white. As of the end of 1968, the figure had risen to 7.2 percent -- that's about triple.

Another figure that the Labor Department released shows that in the first half of 1968, 9.4 percent of the entrants were non-white. That means that although we haven't reached an average of the percentage of the population in this most difficult skilled-level -- where there was, in many of the programs, very little minority participation -- we have seen a more rapid increase in minority participation and a higher absolute percentage than in almost any well-paid part of the labor force throughout the country.

Now, this isn't the end of the road. We still have a long way to go.

But, if people want to measure the labor movement's intentions and results by looking at apprenticeships, I think the record in the last few years has been excellent.

SWOBODA: Mr. Slaiman, do you think the economic realities of such programs as Model Cities will speed this even further?

SLAIMAN: If the money that has been talked about is invested and we can get the follow-up on the kind of solid programs that the

construction unions have endorsed in principle, I think it will.

But, there are a couple of "if's."

So far, very little actual money is going into construction programs in Model Cities. We have only the pilot programs in which to show results.

SWOBODA: Do you hold out any hope that you will get that money?

SLAIMAN: That is a political problem -- with an Administration that holds the strings and a public attitude that affects what they do.

CONN: Mr. Slaiman, is a key part of this apprenticeship training pre-apprenticeships for those who just can't measure up to the what it takes to enter an apprenticeship -- prior training to enable them to meet the standards?

SLAIMAN: Yes. There is a need for compensatory preparation to make up for education gaps and access gaps.

CONN: And this has accounted for the difference?

SLAIMAN: I think that in large measure, it has. Yes.

HARDEN: Thank you, gentlemen, Today's LABOR NEWS CONFERENCE guest was Donald Slaiman, director of the AFL-CIO's Department of Civil Rights. Representing the press were Harry Conn, editor of Press Associates, Incorporated, and Frank Swoboda, labor correspondent for United Press International. This is your moderator, Frank Harden, inviting you to listen again next week. LABOR NEWS CONFERENCE is a public affairs production of the AFL-CIO, produced in cooperation with the Mutual Broadcasting System.

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Ed. Coalition

AMERICAN FRIENDS SERVICE COMMITTEE
ATLANTA, GEORGIA 30303

OCT 21 1971

October 20, 1971

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Mrs. Virginia Frank - Southern Education Foundation
Miss Dorothy Height - National Council on Negro Women
Carl Holman - National Urban Coalition
Mrs. Ruby Martin - Washington Research Project
Eldridge McMillan - Southern Education Foundation
Hayes Mizell - South Carolina Community Relations Program
James Robertson - Lawyers Committee for Civil Rights Under Law
Mrs. Nancy Spears - Headstart
✓ Emory Via - Southern Regional Council

FROM: Winifred Green Winifred

SUBJECT: November meeting of the Coalition...

Since we did not meet in October and because we are hoping to go over the procedures for the monitoring project, I would like to suggest a two day meeting of the Coalition in November. I am suggesting a meeting starting on Sunday afternoon the 14th of November and adjourning no later than five o'clock on Monday afternoon the 15th.

Will you please let Oleta Fitzgerald, in our office, know if these are convenient dates? If they are not, please suggest other dates in November that would be convenient. We will let you know the final dates and where in Atlanta the meeting will be held, as soon as we have heard from everyone.

Emory -
The Coalition would very much like to have Butch & Leon attend the November meeting -
Winifred

cc: Allan Black
Robert Brown
Attorney Drew Days
Yvonne Gannon
David Jacobs
Terry Peterson
Bob Valder
Janet Wells

Coalition 10-26-69

PRESIDENT MEANY, Lane Kirkland, members of the Executive Council, brothers and sisters, and particular greetings to our guests from overseas. I am going to deal this morning with a very difficult, trying and agonizing problem which is facing America, that is the problem of justice for all of our citizens, regardless of color, race or creed.

Now, friends, if anything decent is going to happen in these United States, as has been the case since the time of Franklin Delano Roosevelt, it will be because the trade union movement and the black people of this country do not permit themselves to become divided but stick together.

My friends, alliances are not made in the way in which one marries his wife; alliances are not made out of affection; alliances are made out of mutual interest and, although there will be difficult times for us, we must remember that this mutual interest does in fact exist and we must hold on to it.

Let me salute the AFL-CIO for the work it has done for the sanitation workers in Memphis, for the farm workers in Delano, and for the hospital workers in South Carolina. That let no man say that together we are not fighting poverty, for that is precisely what we are doing, more effectively than any other combination of forces.

I note also, and I hope the Wall Street Journal will take note and the New York Times will take note, that there was a magnificent march in Raleigh, North Carolina, a few weeks ago, with 12,000 men and women, white and black, demonstrating in solidarity, and that was organized by the North Carolina AFL-CIO and the Building and Construction Trades Council. There was unity there and, therefore, half of you don't even know about it because the press does not like unity. It records only discord and ugliness.

My friends, I did not come here to make a congratulatory speech. I came here to talk to you about what I consider to be two of the most serious problems this nation faces. We are in a difficult period and I think that you know this better than I do, for you are working daily with the people in the streets, in your neighborhood, and your factories and shops. Therefore, you know more about it than the journalists and the television commentators and the politicians.

What is the difficulty? It is called by many names, but the reality is there has been so little done to meet the needs of the American people that we have cropped up with twin evils, and I want to say a word about these evils.

Black Rage, White Fear Collide

One of them is black rage and the other one is white fear. We hear all about black rage and riots but the newspapers are not telling us about the fantastic fear of many white people, a justified fear in many respects.

These two things feed on each other and they set this nation on a collision course. I believe there are people in this country who want us to be on a collision course. First there is a small handful who want this collision because they see it as the first act of a revolutionary drama of their fantasies. But they are small and sick and a sorry lot with an inflated notion of their strength which comes from seeing themselves too often on television.

BAYARD RUSTIN SAYS

"To Stalling

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But there are more powerful lots. They are not the Left but the Right. This group knows that revolution by fanatics will not succeed, but they would use this threat as a pretext for an assault—and do not misunderstand me—not only on black people but first of all on the trade union movement, on social legislation, on civil liberties, and on black people, and they will work hard at it. They would seize on the fear of the future to draw us back into the past. If they succeed then the American dream will be shattered.

My friends, this need not happen. We can get off this collision course, and to do that we must understand what makes for black fear and rage and what makes for white fear.

There are those who say black people have made no progress, we have won no gains in the last decade. But they don't know what they are talking about. Of course we have made much progress. Our long struggle has not been for nothing. The problem that we face is that progress is relative, as every trade unionist knows.

For example, I could say that across the country union wages last year rose 5, 6, 7 or 8 per cent, or what have you, but every trade unionist knows that these are related to prices and you know that many of your workers have been robbed of this net gain by spiraling prices. Therefore, they are resentful, they are afraid, and they are angry.

Despite this progress that black people have made, there are also many parts of our ghettos in which unemployment is double, and there are more rats and roaches in the slums than ever before, in which, 15 years after the Supreme Court decision, there are more Negro children in segregated schools than there were before that decision.

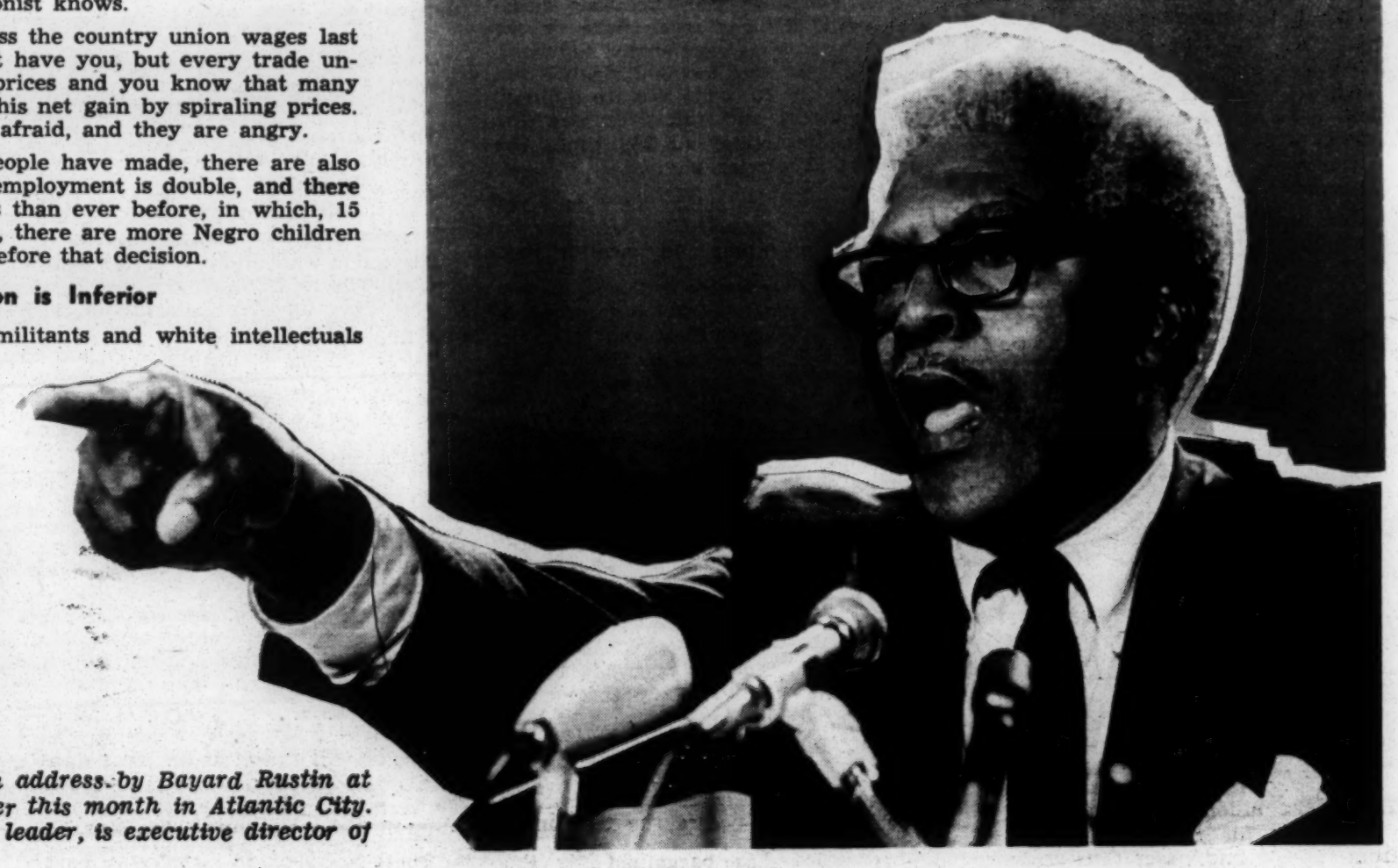
Segregated Education is Inferior

And no matter what some black militants and white intellectuals say, the fact is that segregated education is inferior education and we must not permit anyone to say differently.

My friends, there is another misery. It has nothing to do with black people but with white people. And that is that they are up to here in mortgages. They own homes which are not paid for; they do not have enough money to feed their families; therefore these white people have as much fear because they are afraid of losing what they have, as black

(Continued on Page 10)

"I'm Sticking to the Union!"



• *This article is excerpted from an address by Bayard Rustin at the AFL-CIO convention held earlier this month in Atlantic City. Mr. Rustin, a long-time civil rights leader, is executive director of the A. Philip Randolph Institute.*

RW DSU Record 10/26/69

record READERS TAKE THE FLOOR

Canadian Likes 'Record' Coverage of Labor Scene

To the Editor:

I am writing to you and your fellow workers to tell you how much I enjoy our union paper, the RWDSU Record.

I find that of all the labor papers and magazines, The Record is by far the best, both in the U.S.A. and Canada. It has articles that are very good for all members of a family. It covers the whole North American continent very well, and it is good to know how other members of the RWDSU are getting along.

Your paper did a very good article on the strike at Sobey's at St. John, N. B. by Local 1065 and on Ed Schreyer's NDP winning the election in the province of Manitoba. I am a member of the NDP myself and I believe that this is the only party for the people of labor in Canada. The only way for the people to defeat the high profit system is through their trade unions, and the union papers, like The Record, are doing their share in defeating this system.

Again, I would like to say how much I enjoy your paper and think it is the best of all labor papers.

DONALD WAYE
Secretary, Local 596
Sydney, Nova Scotia

A Poem

This
may not be regarded
as a poem,
but as I mark
these puffed-up sparrow-creatures
hopping
Neil Armstrong-like
about my courtyard
I think
they must have either
watched
the astronauts on
TV
or they had been
with them
(charming secret!)
to the moon.

ALFRED SCHENCK
New York, N.Y.

Questions

What happens when a campaign speech
Turns out to be a loss?
When men that are elected
Just can not come across!
What happens to the promises
To bring us peace at last?
While many men are dying,
We're going nowhere fast!
What happens to a country
That does not take a stand,
Where violence and corruption
Is getting out of hand!

ROSE WEINER
Brooklyn, N. Y.

The Wonder of Life

The wonder of life is all around,
From country village to teeming town.
You don't need glory, power or pelf,
Just faith in God, and in one's self.

A job to do—a book or two—
A friend to tell one's troubles to.
To see—to feel—to think—to share—
That's life fulfilled, beyond compare.

RUTH DONELIN
Bronx, N. Y.

New York

Not even a dog in New York is free,
A chained prisoner is he.
Not a glimpse of the noble horse
And take it all as a matter of course.
The Hudson river a muddy stream
Without a swan on it to dream,
And the thing that really gets my goat
Is the constant squeaking of the ferry
boat.

SARAH ANSHEN
Norfolk, Va.

Chicken

The summer is a chicken
winter plucks
bare.

ALFRED SCHENCK
New York, N. Y.

The Saga of the Mets

From Baltimore the mighty Orioles
came
To play the lowly Mets a Series
baseball game;
The Orioles had strength and skill
supreme
Far mightier than this very young Met
team;
Of two games played, each could count
a win
But Baltimore was laughing—and no
Met wore a grin;
The Birds had Robinson, Powell and
Weaver at the head,
Cuellar and McNally, who'd leave the
Mets for dead;
What hath our Mets, the meek and
lowly Mets
To face these mighty giants, so favored
in all bets?
They had Jones and Agee in the field,
and Seaver on the mound,
And Grote, Charles and Harrelson, so
nice to have around;
They had Koosman and Swoboda, and
Hodges hard to rhyme
And others whose great spirit helped
out 'most every time;
They beat the mighty Birds, just scan
the final score
And sent them back to Balti- less, and
not to Balti- more.

S. MONTEVERDE
Brooklyn, N. Y.

Bayard Rustin Speaks on Negro-Labor Alliance

(Continued from Page 10)

people have rage because they do not have what they feel they should have.

For millions of these white people their jobs and their homes are all they have got. Because their position is so dangerous they feel threatened by the demands of black people for justice because, they argue: "This nation says we will not have enough houses. Therefore, I fearfully cling to mine lest my black brother get it. This nation says there will not be enough jobs. Therefore, I nervously cling to my job lest my black brother get it."

The only answer to that is adequate housing, adequate jobs, adequate education for all. Then white fear and black rage can be contained.

'Let Us Build'

I propose that we tear down all that is dying and dead, all that is ugly and divisive, all that breeds hate and misery, and I propose that we put new towns and cities in their place, new schools in their place, new neighborhoods in their place, fresh air and clean water. I say, friends, let us build.

But the minute I use the word "build," I get right into the middle of a problem which is on all of our minds and which none of us can sweep under a rug. My friends, to use the word "build" brings a subject to the foreground which has caused much controversy and intensely strong feelings. I refer, of course, to the events that have recently occurred in Pittsburgh, Chicago, and other cities, about which I would now like to have a word and would like to have you listen carefully.

The problem raised by these events, the problem of minority participation in the building trades is difficult and dangerous, but let those of you who are in the trade union movement not mistake the problem. It is not the problem of the building trades. It is the problem of all organized labor that to this date, while we have done much, none of us has done enough to completely solve the problem, and we cannot make a scapegoat of any segment of the trade union movement, of any segment of the civil rights movement. This is a fight we are all in together and nothing can be done without the cooperation of all.

There is no doubt in my mind that the events of Chicago and Pittsburgh are a source of tremendous satisfaction to the powerful enemies of the black movement and the labor movement. Read, for example, what was written in last Friday's Wall Street Journal:

"It is no accident that the civil rights groups have chosen this particular time to press their attack on the building trades. They clearly are betting that contractors beset by spiraling wage costs and the public in general will be sympathetic to demands for expansion of union hiring and training efforts in the hope that it might slow inflation in construction by increasing the supply of workers."

You and I understand perfectly well what is meant by that delicate and articulate little language— "slow inflation in construction by increasing the supply of workers." Baby, that simply means, let's cut some wages, let's use the building trades to do it, and let's aggravate the Negro to attack them in order to achieve that little bit.

I do not for one minute believe that a single civil rights group would want to take such a position, for we know that it is pointless and self-defeating to get more Negroes into the industries which are skilled jobs and well-paying, only to have the wages in that industry decline. What the hell you want in for then, only to have the wages drop?

After all, one of the main reasons why black workers are now attracted to these jobs is because the pay and the benefits are the best. They didn't get that way because contractors did it, as the Wall Street Journal would have us believe, or because the public in general somehow uplifted the building trades. It got that way because the building trades fought hard to make it so.

So I want to say a word to my fellow freedom-fighters in the civil rights movement. We must continue to press vigorously for greater minority participation in the building trades. We will not let ourselves become stooges for those powerful economic interests that would use our struggle to depress wages and standards, or to cripple the union that won them.

We black Americans have struggled too hard, come too far and learned too much. We are not dumb 'niggers' now sitting on a cotton bale playing the guitar. We have learned too much to be exploited ever again by the capitalist classes of this country.

There is a great Negro spiritual which says, "No more auction block for me," and along with Brother Randolph I say, "No more union busting, either."

Qualified Apprentices Can Be Found

We know that it is possible to find and train qualified young Negroes and other minority youth to become apprentices. We have done it, and we have done it with the help of the AFL-CIO and the building trades themselves.

What we are saying is we need to do a hell of a lot more of it.

We must do it in ways that do not require the lowering of standards or wages. We do not want to throw out standards. Furthermore, no black boys that I know want to be called black carpenters or Negro plumbers who have lower skills and get less pay. They want to be called carpenters and plumbers. We want them to have the same skills, the same training and the same wages as everybody else, and we will not permit the Federal Government and its Labor Department to impose on the trade union movement in America a second-class citizenship worker in this nation.

The only organization which has a total program for the eradication of poverty, for the eradication of racism which springs from poverty, is the economic and social program of the AFL-CIO.

In short, we must rebuild America if we are to have justice for black brothers are to be brought in. The program of the AFL-CIO is that. gress for black people. We must have plenty and not scarcity if my black brothers are to be brought in. The program of the AFL-CIO is that.

I believe that of all the mass institutions in America, only the labor movement has the answer to these basic questions because they are economic and these are the key questions which will affect all Americans. They are the key questions which must profoundly affect black Americans. These are the relevant questions; these are the questions which can remove, at the same time, white fear and black rage.

I am going to do what Phil Randolph taught me I had better do. I am sticking with the Union.

W-S-J 8/31/70

Gardner's 'Temperamental Imperative'

Urban Coalition

By DAVID C. ANDERSON

When John Gardner, the former Secretary of Health, Education and Welfare and current chairman of the Urban Coalition, recently announced a plan to launch a broad based "citizens lobby" to press for reform of social and political institutions, response from the press was hardly enthusiastic.

In major newspapers, stories about the project, to be known as "Common Cause," were stashed deep in the inside pages. When Mr. Gardner went on "Face the Nation," cynical interviewers tried to get him to say that he is actually trying to get himself elected President by setting up what looks like a fourth party. And when a reporter mentioned his interest in the subject to a Washington-wise colleague, he drew a testy response: "You'll find there's not much substance to what he has in mind; so far as I can tell, it's nothing but a jellyfish."

Disheartening Thoughts

An hour or so spent discussing the plan with Mr. Gardner is enough to persuade a skeptical interviewer that Common Cause is, in concept at least, something more than a jellyfish, and probably deserving of more attention than it has received. At the same time, the discussion leads to some disheartening thoughts about the problem of social change in America.

Admittedly, there is a certain vagueness to Mr. Gardner's plan, which he describes as a lobbying organization to engage in letter writing campaigns and other still undeveloped programs aimed at the somewhat fuzzy goal of institutional reform. The group's efforts would presumably involve such public issues as crime, racial tension, poverty and ending the Vietnam war.

Mr. Gardner contends the need for a group like Common Cause arises from what he sees as the widespread failure of government at all levels to solve problems. "Almost everywhere you touch the public process in this country, you find a failure of performances," he says.

Indeed, he explains, American society seems to suffer generally from a widespread case of institutional decay. Such a "phase of diminished vitality" in social and governmental institutions is hardly a new development, Mr. Gardner says, adding that for the past two decades his career has led him to think about the process of decline and renewal in social institutions.

Such a situation is hardly hopeless, however, Mr. Gardner contends. Indeed, if history has shown that institutions decay nearly inevitably, it has also shown that they can renew themselves. "The disease is curable," he asserts. Furthermore, he believes, it may be possible for enlightened people in a modern democratic society to set in motion such a process of renewal. This, he says, is what Common Cause is all about.

The reform of institutional structure, he contends, is largely impeded by the fact that no pressure group exists to make the case for such general reform to the public and to support public officials who try to enact it.

For, he explains, inefficient institutions have a way of protecting themselves, even to the point of their collapse. "Almost everyone in the system is a prisoner of it," Mr. Gardner says. "I've been thinking about the decay of human institutions for nearly 20 years now, but when I was Secretary of HEW, I thought less about the subject than at any time before or afterward. I was a player in the game, then, and I had to work according to the rules."

"Every modern President has had a backlog of reorganization and reform proposals on his desk," he goes on, "but he's always faced a hornets' nest of opposition in trying to implement them, and he's never had any backing for implementation."

Both the publicity and the popular support necessary to the success of reform efforts, Mr. Gardner believes, might be created by establishment of an "outside constituency," a pressure group with no special interest but the better functioning of the system as a whole.

Mr. Gardner readily concedes that the reform of social and political institutions still is not a subject likely to generate massive popular feeling. But he points out that a relatively small group with an idea whose time may be coming can have great influence. "It doesn't need to be an enormous number," he says. For the United States, "a million people are enough."

And he firmly believes at least this many can be reached. "In every field of special interest there is a percentage of people who understand that if the nation fails, their special interest fails too. You find this at all levels; in unions, in minority communities, as well as in the professions. I don't think of it in liberal-conservative terms so much as in practical terms. These are the people who want to get going and solve our problems."

Mr. Gardner emphasizes that he senses in the nation a depth of such concern that goes beyond empty idealistic posturing. "There is a restlessness over this," he says of the disillusionment with government. "For many people," acting on the feeling that something needs to be done about government failures "is not only moral, but a temperamental imperative."

To gather support, Common Cause recently sent out a test mailing of 200,000 letters to citizens of all social levels in all parts of the country. "Most parts of the system have grown so rigid that they cannot respond to impending disaster," the letter says. "They are so ill designed for contemporary purposes that they waste taxpayers' money, mangle good programs and frustrate every good man who enters the system."

The letter warns that "no particular interest group can prosper for long if the nation is disintegrating. Every group must have an overriding interest in the well being of the whole society." And it calls for an "active, powerful, hard-hitting constituency" to fight for reforms necessary to protect that interest. The letter asks an enrollment fee of $15.

Though it's too early to gauge response to the mailing, Mr. Gardner's associates say they have been pleased with the popular response to initial publicity for Common Cause. One Gardner spokesman reports that his office currently is receiving about 200 letters a day from people wanting more information about Common Cause. "And it's a fascinating mix of mail," he says. "It isn't predominantly professional or intellectual as you might expect," he says. Rather, the letters seem to come mainly from middle class people in all parts of the country.

If this looks encouraging, the project as outlined by Mr. Gardner still leaves room for at least three questions.

First, if the feeling of restlessness for constructive change may exist in some quarters, there is also much popular feeling in the country that would tend to undermine attempts to organize a broad citizens' lobby for the general goal of institutional reform.

Mr. Gardner says the polls show a rising number of people who shun affiliation with traditional political parties. He also says there are statistics to show a surprisingly widespread degree of public agreement in desires for certain changes in areas like housing, employment, education and the administration of justice. Thus, he suggests, Common Cause might be able to link its non-aligned "outside constituency" stance to plans for improvement in these substantive areas, developing political muscle for the overall purpose of institutional reform in the process.

But if there are areas of unanimity, there are also great areas of division. The conflicts between black and white, between people alienated from American life and people defensive about it, and between old and young, are growing more virulent as the months pass, and they may not be separable from the substantive issues Mr. Gardner cites as grounds for new unity. For example, it's hard to see how destructive divisiveness over racial integration could be kept apart from any Common Cause-backed scheme to do something about the shortage of middle-income housing, however widely the housing may be desired.

Second, the fact that the need for institutional reform is real and even widely perceived does not necessarily mean that reform on any meaningful scale may be easily generated or controlled.

Catching the Mood

Mr. Gardner speaks hopefully of the fact that relatively small groups advocating such causes as family planning and environmental conservation have come to have tremendous impact on government policy and on all of society in recent years because they happened to catch a receptive public mood.

But he also admits that historically the process of institutional decay and renewal has not been affected much by rational human activity. Rather, major institutional reforms have usually been forced by such events as wars, plagues or other catastrophes. And his assertion that "we need to produce renewal short of such disasters" seems as obviously lame for any practical purpose as it is obviously true.

Third, even if institutional reform could be realized, there is some reason to question whether the rather diffuse notion of institutional decay is as basic a source of American troubles as Mr. Gardner and many others like to think it is.

There can be no question that institutions of government often seem unresponsive and inefficient, and that there is room not only to improve specific governmental mechanisms but also, as Mr. Gardner suggests, to encourage the feeling both in and out of government that social institutions should continually renew themselves to keep abreast of change.

At the same time, the evidence has begun to grow recently that some of the most serious problems of modern America involve unprecedented changes that bring social

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At the same time, the evidence has begun to grow recently that some of the most serious problems of modern America involve unprecedented changes that bring social strains down to a personal level.

The problem of pollution won't be solved entirely until every American understands, and accepts the fact that a clean environment isn't compatible with all the comforts and conveniences he may take for granted. The agonies of Vietnam might have been avoided had every American understood and accepted the uncomfortable ambiguities of the U.S. role as a superpower. Increasingly bitter cultural factionalism may not come under control completely until people learn to treat what the media show them with a bit of perspective.

And while more responsive social institutions might help, it is hard to see how they can do more than ease the strains a bit. If the idea that institutional reforms won't make things much better, but only less worse, begins to gain acceptance—as it must—how much support can a Common Cause organization hope to retain?

No Startling Answer

Mr. Gardner has no startling answers to these questions. "You can't let yourself be paralyzed by the complexities of the problem," he says. And he adds: "I don't want to rule out the possibility that we're head-over-heels into something we can't control. But if you look at the current situation, you see that we've left some of our most important institutions untouched for many years. We haven't done all we can."

Indeed, he goes on, the most important thing is to try. And he quotes some lines from T. S. Eliot: "For us there is only the trying. The rest is not our business/Home is where one starts from. As we grow older/The world becomes stranger, the pattern more complicated."

All of which leads to the conclusion that perhaps Common Cause is for Mr. Gardner mainly a matter of temperamental imperative more than the result of an absolutely hard headed assessment of current troubles. And if one may wish him well, it is only with a feeling of depression over his chances for success.

Coalitions

J. B. IARA — May 65

p. 494

C. B. goals not sacrificed to Politics

Union Politics — training ground

Democracy has been strengthened by labor's pol. role. — diffusing pol. power, & challenging our system to share its favors broadly. "These effects may very well be responsible for the viability of western "capitalistic" democracy."

[over]

Certainly something to be said for J.B.
analysis:

would divisions in society have become grave — polarized without the "give" forced by unions —

Unions have helped preserve system — can weak, despite certain imperfections

political pragmatism partly responsible although earlier rejected as selfish.

Unions & democracy —

So large a group must have pol. interest represented —

Pol. power will increase —

What fears — the real ones are absurd. (sabotage the system — civil liberties, etc.)

Where will flow of values & ideas come from — the chronic opposition? NO! From ~~[illegible]~~ own (cause

leaders? Likely:

What policies by the public encourage responsibility — insertion criticism — "Class criticism" — attack on most democratic of leaders (e.g. Reuther)

Unions in politics —

1) Within structure of Pol. System

2) Activity ranges from local pressure on Bldg. Code to Int'l Affairs

3) Most frequently a lobbying, candidate supporting, organization backing operation —

4) Usually Dem —

Coalition

Naturally — plenty of public signs AFL-CIO News, COPE, Int'l Union Papers, Press releases, Pastor, Praise of Churches — can still ask what it means in operation —

In South, relatively few public signs — are there things going on beneath the surface (over)

How much tension in Sather setting because of lack of public recognition — So. Until nts leaders "need" publicity & frequently used to it — sometimes don't accept embarrassment of white union leadership that white followers "can't" be moved faster.

Coalition difficulties (?)

Ala. Dem. Conf (Rufus Lewis) willing to stay with party (& Lurleen Wallace) although not an open endorsement —

Martin no real alternative, but some of labor looking at Robinson and State AFL-CIO made no endorsement

Coalition Difficulties (?)

Leroy Johnson's support of Peter Zack Geer in some areas

Coalition Difficulties (?)

Support of Geer in Augusta by Some Negro leaders (ministers) attempting to keep lines with local industrialist open even after Union organizing dispute and "reconciliation" Rev. Hamilton and ?

Move opposed by — check Al Rebner

Memphis (Sam Adams)

A. W. Willis Attyn — young girls

Savings & Loan Assn

State Senator

Sagaman, Attyn young girls Attyn

Pol. leader

Bascom Smith — Dentist

Pres. (?) NAACP

wife is Ex. Secty.

Turner, C.P.A.

older —

GOP lost strength after Convention — Rev. Lee (?) pushed out of leadership

Va

Mrs Johnson — man for Gary

Jack Carter — Episc. — College Relations

Airlie Hame — Warrenton

Liberals met there Sam Tucker

Bingo Span (?) — 2nd Dist Chm —

Brakefoam Byrd machine —

Talk of $300T fund —

Have to win primary —

Ga — Arnall

Savannah —

Frank Downing vs Elbert Hagan (Cong.) Labor backed originally — money got there late —

L U.C. — not esp. good on race —

but perhaps neutralized — unions will support —

3rd Dist —

Bo Callaway

Earl Cooke — LBJ friend —

Has talked with Barkan & Montagne —

Negro Va

Milton Reed

March

Sam Tucker

Lester Banks

(Tab. Wks)

Klan trying to cash in on 14B vote of Weltner & Mackey — Unions not likely to give money now, may not support —

Weltner will get no serious opp.

Rodney Cook may oppose —

Val
Dick Freeman — could give Mackey a hard time

Ala Dem. Conf. — get 300 turn out —

Tenn

Geo. Grizzly

Boss — watch Clement moves for Negro Votes —

Tenn. Voters Council —

Dick Miles not too

SC

Hutz Hollands — may run as Rep against Russell

Thurmond also up —

Sloan interested in gov. — after 1966 —
Use Party Prog for base —

N.C. 4600 total —
26 counties 3400 N
~~with Registrars~~

Ala Elem Conf. (3 reps Negro, mainly Negro)

meeting Mobile — 6 & 7th (Nov, 1965)

John Casler, DDS & Chms —
Member of President's Club ($1,000)

Ala. State Coord. Assn.

for Regis & Voting

---

* George Holloway
(NAACP) — a few Reps

Dan Powell
Talk about Vernon J.

Weightman backs Holloway
V.J. count Chief Aiken out
Henderson, Montague meet with Holloway, Johnson, Aiken, & others

Martha Prescod — Pres,
former Dem. Com. Woman
Pal.

Baxter — (loader & self interested)
Pal.
ran for office in Texas

Sit up and
relation to Bd —

John Dean, OEO. Wash. D.C.
V.J. highly rec. — processes
requests from Atl. region.

Eldridge McMillan — O.E.O
ex. Counselor in High Schools (Data research counselor)

Hobby — COPE Va, Ky, ~~[illegible]~~ S.C, Ga, Fla

Henry Howell — Norfolk (35-36 yrs.) | Reapportionment & Redist. & Poll Tax 1965

Victory Dinner

650 people
200 N.
200 Labor leaders

His Ticket split Y.D.s from machine -

$10T / State $5 first Tuesday

Betty Vinson — Legislative Asst for J. McKay —

Liberal Duke + Negro + Labor in Local (?) dem.

(Durham)

Grad. School - Research Grant

Selected So. Cities -

Negro-Union Political Coalitions -

Impact of 1964 Civil Rights Law — settlement of same fund. issues —

Pol — 1964 Coalition

Pol — (1954?) Coalition

Relation of

desegr in community -

character of politics

bi-racial committee

extremism

degree of employment integration —

union heterogeneity levels

Nat'l Union effort

Reapportionment

city - state - cong. dist -

(over)

Any role
for Liberal Dem. orgs.
e.g. Democratic Forum
in Atl. Metro area

Any relation to poverty
expenditure of money

* Roanoke, Ala

Lou Echols
Radio -

UAW election

last 3 days - tough road

Staff - Reuther at Selma

21 people however signed
~~at~~ to distribute UAW literature -

Fannie Neal - COPE

field dir. - Montgomery -

out of State Com on Regis. & Voting

Tenn - Henderson interested in

* Hooker, John J. - for governor

Anderson

Bass

Gerber (redist. trouble (?))

Fulton

Coalition

Alliance for Progress

Atlanta — Nov 30, 1965

Meeting at Beaman's

Restaurant 2 — 4:00 PM

printing of distinction

the Cavalier press OFFSET · LETTERPRESS CARBON BUSINESS FORMS

1110 CONGRESS STREET, N. E. • LIncoln 3-4484

Hood — Reps. — union member.

Hill

Jim Morrow

Marshall Ray

J. Jacobs

W.T. Anderson

Marty Marcus

M. Ledford

Ellis Arnall

J.C. Hill

Cil Parham

AFSCME

Jim Bailey

Rev Joel Boone — Bread Basket

Dorsey —

Rev Bennett

Y.D. — new Prex

Dr. Witherspoon

E. Vice

R.H. Millin Pres New Era State Baptist Convention

Rep. Boan Labor Dept can depend on me

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2 men in field —

Worley need counties —

may be a strange

Coalition —

will need the devil

if he is going our way —

Unbenshibed vote will

create bandwagon

Cathum

Muscogee

Don't let freit coin it again

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Majority of voters are under 30 yrs — claims youth vote

need to perfect women's org.

believe in ed. —

goes into Bibb in January

Used to head Jr. C of C

Elliott Sentoz — partner (?)

in Leeds

R.R. Theme Company — Color

A OK. buttons EA for GA

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. . .

Many remarks: —

if they come after me I'll get a black jack & go after them

Talk of run for Gov.

Geo. Smith	Roland Boyd
Jud. Porter	Ray Harris
Lester Maddox	Vandiver —

not avoided about little fraud found (in absentee voting)

Negroes in State govt. jobs —
State patrol, Bd of Ed, Regents, etc —

Push program — not daring — will push for Nat'l reputation —

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Witherspoon

Praise to Carey —

Stupendous, tremendous, far reaching, accountable. —

& Mr. "Montesque"

for bringing us together —

Moved the Breakers group —

Next. gov. & future pres —

Indebted to Arnall

will pay the debt by electing Gov.

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Baptist Convention

Populist flavor
anti- RR
But RR "Theme"

Working men —
Rural — Negroes

All Negroes spoke to Negro issues
All labor spoke to labor issues
a ritual of getting to know each other —

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. . .

Montague "Shuffling" between Jesse Hill & Breakers — already a new political dimension to a new pol. life.

Many ways — Rural politics — new partners & across old strong barriers

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1. Paul Anthony SRC

2. Robert Comps (Va)

3. Oliver W. Holmes (Ga)

4. Ed Lewis (Fla)
Ed. Stanfield

5. Brad Poston (S.C. Intern)

6. Baxton Bryant (Tenn.)

7. Alice Spearman (S.C.)

8. ~~Ozell~~ Sutton (Ark) (asst. Director)

9. ~~10~~ Francis Pauley (Ga)

9. Ken Dean (Miss.)

Ala. — COPE
Wm E Mintz (COPE Dir)
2nd V.P.

(Did get together
with Dixy Band
at Ala Council
meeting on
Voting.

Oct., 1965
(?)

Coalition —

re Memphis & other

How much of a Broker role does Negro Staff of COPE play? Do they increase or lessen meaningful contact between local labor and local Negroes — Does it start as an "increase" and grow into a "lessened" situation —

What kinds of competing aims — Nat'l COPE, NEGRO STAFF, LOCAL LABOR, Negro Politicians, Local Negro Organizations

'A Reverse Klan':

NAACP's Roy Wilkins Scores Separatism of 'Black Power'

The following is excerpted from an address by Roy Wilkins, executive director of the National Association for the Advancement of Colored People, at the organization's recent convention in Los Angeles.

ALL ABOUT US are alarms and confusions as well as great and challenging developments. Differences of opinion are sharper. For the first time since several organizations began to function where only two had functioned before, there emerges what seems to be a difference in goals.

Heretofore there were some differences in methods and emphasis but none in ultimate goals. The end was always to be the inclusion of the American Negro, without racial discrimination, as a full-fledged equal in all phases of American citizenship.

There has now emerged, first, a strident and threatening challenge to a strategy widely employed by civil rights groups, namely non-violence. One organization which has been meeting in Baltimore has passed a resolution declaring for defense of themselves by Negro citizens if they are attacked.

This position is not new as far as the NAACP is concerned. Historically our association has defended in court those persons who have defended themselves and their homes with firearms.

But neither have we couched a policy of manly resistance in such a way that our members and supporters felt compelled to maintain themselves in an armed state, ready to retaliate instantly and in kind whenever attacked.

We venture the observation that such a publicized posture could serve to stir counterplanning, counteraction and possible conflict. If carried out literally as instant retaliation, in cases adjudged by aggrieved persons to have been grossly unjust, this policy could produce—in extreme situations—lynchings, or in better-sounding phraseology, private vigilante vengeance.

Moreover, in attempting to substitute for derelict law enforcement machinery, the policy entails the risk of a broader, more indiscriminate crackdown by law officers under the ready-made excuse of restoring law and order.

It seems reasonable to assume that proclaimed protective violence is as likely to encourage counterviolence as it is to discourage violent persecution.

But the more serious division in the civil rights movement is one posed by a word formulation that implies clearly a difference in goals.

No matter how endlessly they try to explain it, the term "black power" means antiwhite power. In a racially pluralistic society, the concept, the formation and the exercise of that ethnically tagged power means opposition to other ethnic powers. In the black-and-white relationship, it has to mean that every other ethnic power is the rival and the antagonist of "black power." It has to mean "going it alone." It has to mean separatism.

NOW SEPARATISM, whether on the rarefied debate level of "black power" or on the wishful level of a secessionist Freedom City in Watts, offers a disadvantaged minority little except a chance to shrivel and die.

Ideologically it dictates "up with black and down with white" in precisely the same manner that South Africa reverses that slogan.

It is a reverse Mississippi, a reverse Hitler, a reverse Ku Klux Klan.

If these were evil in our judgment, what virtue can we claim for black over white? If, as some proponents claim, this concept instills pride of race, cannot this pride be taught without preaching hatred or supremacy based on race?

Though it be clarified and clarified again, "black power" in the quick, uncritical and highly emotional adoption it has received from some segments of a beleaguered people, can mean in the end only black death. Even if, through some miracle, it should be enthroned briefly, the human spirit, which knows no color or geography or time, would die a little, leaving for wiser and stronger and more compassionate men the painful beating back to the upper trail.

Mon. thru Fri.
ABC Radio
7 PM

Sponsored by
The AFL-CIO

EVP - Coalition

Memphis Local Wins 21-28c Raises at Quaker Feed Mills

MEMPHIS, Tenn.—Local 19 has just negotiated a three-year renewal agreement that covers 65 workers of the Quaker Feed Mills of this city. The agreement, effective Nov. 7, provides an across-the-board increase of seven cents an hour during each of the three years, plus five cents an hour differential for the 3 to 11 p.m. shift and seven cents for the 11 p.m. to 7 a.m. shift. For the first time, the agreement contains a severance pay clause which calls for one week's pay for each year of service up to 20 years in the event the company closes its plant.

An additional clause calls on the company to pay 62 percent of average salary to any worker laid off due to a lack of work. The maximum period under this clause is 26 weeks. Improved medical and surgical provisions and betterment of the retirement and pension plans were also written into the agreement.

The local negotiated another three-year agreement covering more than 35 employees of the Allied Feed Mills of Memphis. The contract, which takes effect Nov. 15, calls for an across-the-board increase of six cents an hour each year, with an additional five cents going to five workers whose jobs were reclassified.

The agreement provides improved vacations, life insurance for each worker paid for by the company and medical and hospital coverage.

Pres. Earl H. Fisher headed the local's bargaining committees at the shops.

HEADS NEGOTIATORS: Local 19 Pres. Earl H. Fisher, shown on recent Mississippi march for voting rights for Negroes, headed bargaining committees at Quaker and Allied mills.

Chapter 9

Making Better Use of Existing Housing

The production of housing at a rate of approximately 2.6 million units per year would require a massive shift of national resources. This chapter addresses some of the large questions raised by this ambitious production target. Does the American economy have the resources-in business skills, trained manpower, capital, land, and technical know-how — to support a massive expansion of housing production? What strains will be created in the economy by a major shift of resources to housing? Our conclusions are generally optimistic. If the nation makes a major commitment to provide adequate housing for all its citizens, the job can be done within a decade. Reaching this goal will require sacrifices in other areas, but these sacrifices are well within the capacity of a country as wealthy and productive as the United States.

We have also found it necessary to assess the efficiency with which the existing housing industry is operating. If housing can be built more cheaply and more quickly than it is at present, use of more efficient production systems would lower the amount of subsidies required from government, and lessen the strains on the rest of the economy of a massive housing program. Accordingly, we have sought to evaluate the rate of technological progress in the industry, to estimate the seriousness of any constraints to greater efficiency and to devise recommendations for improving indutry efficiency. In addition, we have explored methods for assuring that minority groups are afforded full opportunities to serve in entrepreneurial capacities and to take advantage of employment opportunities. We have also considered what policies are appropriate to bring the talents of the nation's best scientific and technical manpower to bear on the problem of housing production.

We conclude that much can be done to improve the efficiency of the housing industry. Steps to this end should be given high national priority. Since roughly $25 billion has been spent each year on residential construction, even marginal cost reductions on each unit, when multiplied by total production, become significant. The removal of constraints to greater efficiency and the encouragement of technical innovations may ultimately have a very significant effect on the cost of housing. We have also concluded, however, that new technology alone will not be sufficient to bring good housing with with the means of the entire urban population.

PAGINATION INCORRECT

1. An Overview of the Housing Industry:

A Fragmented, Complicated Process.

The "housing industry"—defined here to include all those firms which share in the receipts of expenditures for housing—ic one of the most complex in the American economy. The firms which play the critical role of putting together the finished housing unit make up the heart of the industry. The home assemblers include homebuilders, contractors, home manufacturers (and their dealers) and mobile home producers. These firms procure their materials from an extraordinary range of building products manufacturers, which range from tiny millwork plants to some of the nation's largest corporations. Distribution of these materials from manufacturer to assembler is carried out primarily by specialized wholealers and retailers—lumberyards and hardware stores, for example. Acquisition and preparation of land for the ultimate construction of housing commonly involves real estate brokers, lawyers, title insurance companies, surveyors, and civil engineers, and possibly land planners and landscape architects. Much of the on-site construction work is characteristically performed by specialty subcontractors, for painting, plumbing ,and electrical work, for example. Financing, needed both by the builders to complete construction and development, and by buyers to finance purchase of completed units, is available through a battery of lending institutions. Operation of apartments may involve superintendents or management firms. The maintenance of housing adds to the cast of characters—for example, repairmen, janitors, remodeling firms, and domestic workers.

Thus the housing industry is made up of literally millions and millions of business enterprises. Most of these are small and specialized. Competition throughout the industry is characteristically fierce. It is incorrect to speak of the need to involve private enterprise in housing production; the housing industry is already one of the mightiest basions of the private enterprise system.

that it will bring about appropriate changes in housing supply to correspond to the changes in demand.

The Importance of Housing in the Economy

Housing, broadly defined, is the premier consumer good in the United States. Americans spend over $100 billion annually to buy, ent, operate and maintain their places of residence. About half of this amount goes for direct housing expenditures (such as rents or mortgage payments) and the remaining haf for utiities, furniture, domestic hep, and other household operations. In addition, residential structures and their sites constitute almost one third of the national wealth. More than one quarter of new capital investment each year goes into housing.

Money Spent. Most of the money spent on housing goes to purchase the use of the existing stock. New residential construction adds only 2% or3% each year to the total housing stock. Rougly 10% of the gross national product each year is devoted to construction of all kinds. Residential buildings are the object of roughly 1/3 of total annual construction expenditures.) Recently the value of private residential construction has averaged around $25 billion per year. Roughly $5 billion of this is spent for additions to and alterations of, existing housing.

The importance of housing in the economy underscores the public need for efficient operation in this industry. If the cost of new housing in place can be cut by 5% (with no corresponding drop in value) then this will result in an annual savings in the American economy of $1 billion in capital. Similarly, American consumers would save $1 billion for every 1% reduction in the total cost of owning, renting, and operating their residences.

It is likely that housing will maintain its present importance in the American economy over the next several decades. It has long been assumed that as families grow richer, they spend a smaller percentage of their income on housing. If this were indeed tre case, housing should become relatively less important over time as personal income rises. However, the best recent evidence (Margaret G. Reid's *Housing and Income*) indicates that high-quality housing is one of the most desired luxury goods to the American consumer. If this is the case, the housing industry should maintain (or possibly even improve) its relative importance in the American economy.

The Characteristics of Housing

The structure of the housing industry has evolved in response to the distinctive characteristics of its product. Housing is quite different from soap, shirts, or sports cars. Its distinctive characteristics require a production and mer-

chandising system unlike those typical in manufacturing.

1. Housing is tied to land.

The fact that housing developments are inevitably associated with land operations has numerous consequences. Land development has historically been regulated primarily by local governments who typically impose a battery of building and mechanical codes, zoning ordinances, and subdivision regulations on potential builders. The tradition of local regulation of building contributes to the localization of markets.

TABLE 2 Rough Breakdown of Occupancy Cost of Three Kinds of Housing

	Conventional Single-Family homes	Mobile home	Elevator Unit
Debt retirement	53%	55%	42%
Taxes	26%	4%	14%
Utilities	16%	11%	9%
Maintenance and repair	5%	2%	6%
Site rent	—	28%	—
Admin. & similar costs	—	—	13%
Vacancies, bad debts, & profit	—	—	16%
	100%	100%	100%

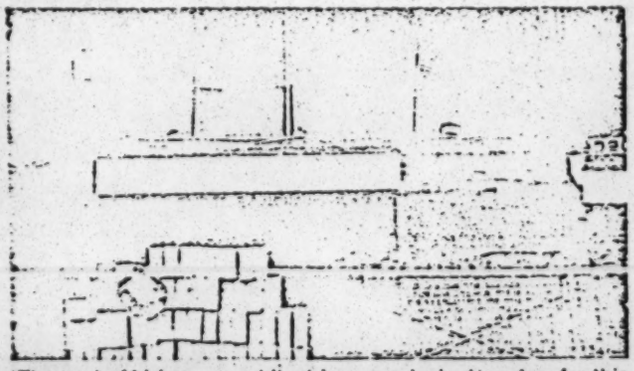
Builders, lenders, and real estate brokers often must learn a new set of rules each time they venture from their home territory. The fact that housing units are immobile also means that their value is largely determined by the neighborhood in which they are situated. Builders must be concerned not only with whether the structure itself will appeal to the market, but also with whether there will be any demand for that structure on the sites where it can be built. Lastly, the fact that housing is tied to land means its transfer is carried out under the cumbersome and often archaic procedures of real property law.

2. Housing is durable.

A house or apartment building, if structurally sound when built, may last for centuries. Repair and replacements can remedy what deterioration in materials that may occur, and may even forestall market obolescence. One of the consequences of the durability of housing is that the existing inventory of structures dominates the market. As noted, the annual production of housing units, at least in recent years, has added only between 2% and 3% to the total stock. The dominance of the existing stock in the market means that housing production can be deferred for long periods (during wars or depressions, for example,) and contributes to instability in rates of output. In addition, the durability of housing

The intertangling of input substitution with technological change raises problems if one is interested in determining whether technological change has been taking place. In fact, if tracing the sources and applications of new knowledge is one's primary interest, productivity analysis is a very crude tool indeed. On the other hand, substitution responses to input price changes are likely to be as important as new technology in determining efficiency changes. Saying the same thing differently, the effect on costs of changing the production process os as to use relatively cheaper inputs in place of relatively more expensive ones may be as strong as the ecect of changing the production process so as to use previously unknown techniques.

Analyzing changes in productivity ratios may therefore provide information about response to the whole range of possibilities for improved efficiency, even if such analysis cannot separate the advancement of knowledge from input substitution.



*The cost of hiring an architect is one principal rea4on for this higher figure.

There is one situation in which productivity change, technological change, and efficiency change all coincide. If input requirements per unit of output are all falling simultaneously, all productivity ratios will be increasing, efficiency will be rising, and technological change must take place.[3] Inspired by this fact, economists

3. The last conclusion follows because unless a newly adopted technique which reduces all input requirements is a newly invented technique, producers were failing to maximize profits before the change in technique.

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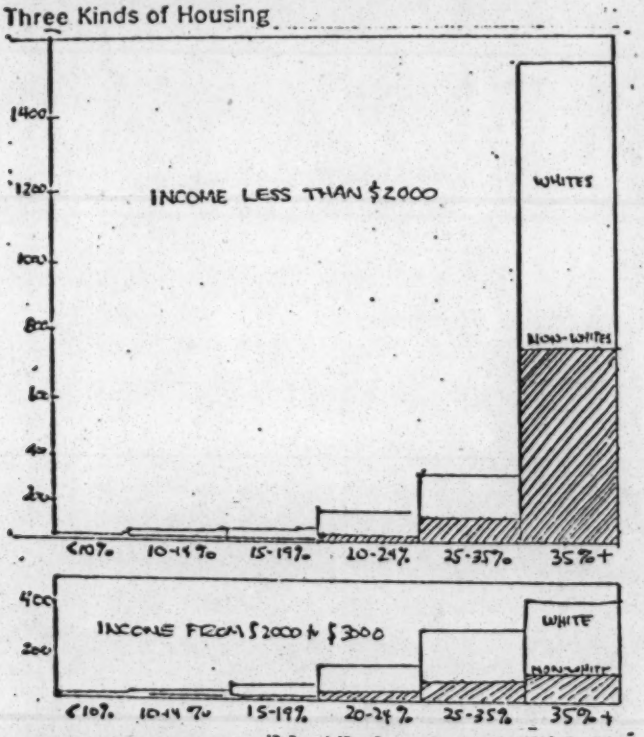

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TABLE 1 Rough Breakdown of Initial Development and Construction Costs

	Conventional single-family unit	Elevator Apartment Unit
Developed land	28%	13%
Materials	36%	38%
On-site labor	19%	22%
Overhead & profit	14%	15%
Misc.	6%	12%-
	100%	100%

*The cost of hiring an architect is one principal rea4on for this higher figure.

There is one situation in which productivity change, technological change, and efficiency change all coincide. If input requirements per unit of output are all falling simultaneously, all productivity ratios will be increasing, efficiency will be rising, and technological change must take place.[3] Inspired by this fact, economists

3. The last conclusion follows because unless a newly adopted technique which reduces all input requirements is a newly invented technique, producers were failing to maximize profits before the change in technique.

FAIR LABOR STANDARDS ACT

Resolution No. 198

(Resolutions Book 3, P. 85)

COMMITTEE SECRETARY SULLIVAN: This Resolution covers the substance of Resolutions 37 (Book 1, page 41), part of 64 (Book 1, page 68), 86 (Book 2, page 6) and 91 (Book 2, page 18).

It calls on Congress to increase the minimum wage to $2.00 an hour; extend the Act's coverage to all workers engaged in or affecting interstate commerce; provide for the payment of double-time for overtime; and improve the enforcement of the Act. It also calls for equivalent increases in federal minimum wage rates in Puerto Rico, the Virgin Islands and American Samoa.

The Committee recommends the adoption of Resolution 198 and I so move.

. . . The motion was seconded.

VICE-PRESIDENT A. PHILIP RANDOLPH: President Meany, I should like the delegates to this Convention to know that on the 29th of June, 1965, testimony on behalf of a higher minimum wage and extended coverage was delivered before the House Committee on Education and Labor in the name of the leaders of all of the major civil rights organizations. This strong appeal to Congress was made by Roy Wilkins, James Farmer, Dorothy Height, James Forman, Bayard Rustin, Martin Luther King and myself.

This united leadership was at great pains to make clear to the committee that there are two major obstacles to the ultimate achievement of the civil rights revolution: one is segregation and discrimination; the other is economic deprivation. We stated to the Labor Committee that no single act could so drastically alter immediately the status of the working poor, black and white, as the passage of an act containing a higher minimum wage and extended coverage. If vigorously enforced such an act would bring millions and millions of dollars into the pockets of the working poor, giving them the power to deal with many of their own problems and restoring to them the dignity that springs from elementary economic stability.

The labor movement will find that in this struggle to obtain such an act, no stone will be left unturned by the civil rights groups to ensure its passage in the 90th Congress.

As I said yesterday, President Meany, I want to thank you and all those on the Executive Council; I want to thank my dear friend, Secretary-Treasurer Bill Schnitzler for his steadfast, effective and inspiring leadership of the AFL-CIO civil rights committee of which he is chairman; I want to thank all the members of the civil rights committee for the arduous and the often unheralded work which they have carried on to bring fraternity, dignity and equality, not only to the house of labor but also to this great nation.

Thus, Mr. Chairman, I support the Resolution for a minimum wage.

PRESIDENT MEANY: Is there further discussion?

I think Brother Randolph has emphasized again the close connection there is between the question of civil rights, full civil rights for the Negro and his economic situation. This is why amendment to the Fair Labor Standards Act is of such tremendous importance.

Is there further discussion? If not, those who favor the motion to adopt signify by saying aye; contrary.

It is carried and so ordered.

THE VIRGINIA COUNCIL ON HUMAN RELATIONS
17 East Cary Street, Richmond, Virginia 23219 Telephone 648-4445
The Rev. Mr. Robert Lee Combs, Executive Director

"A Council that seeks --- through fact-finding, discussion and action --- to attain equal opportunity for all people in Virginia."

VOTER REGISTRATION SURVEY IN VIRGINIA

This survey was made by the VCHR. The following methods were used to complete a survey of certain localities in Virginia --- a mailed survey form to local Councils on Human Relations in 36 areas of Virginia, VCHR staff visits to courthouses not covered by local Councils on Human Relations, newspaper articles, and interviews with residents in the areas surveyed. The Virginia Election Laws, Civil Rights Act of 1964 (Title I Voting), and the 1965 Voting Rights Act were used as the background to discover violations and trends in voter registration. The survey was made between June 1, 1965 and September 1, 1965, with a revisit to areas where changes were noted from the information originally obtained.

The purpose of this survey is to point out apparent violations of the Virginia Election Laws and the Voting Rights Act of 1965, and also to increase the percentage of voter registration by making the procedure more convenient and easier for the prospective registrant.

Contents

I. Copy of Voter Registration Survey used by VCHR.
II. Changes in Registration Procedures.
III. Advertisement of Voter Registration.
IV. Poll Tax Payments and Poll Tax Lists.
V. Voter Registration Lists.
VI. Compliance to the U. S. Voting Rights Act of 1965.

THE VIRGINIA COUNCIL ON HUMAN RELATIONS 17 East Cary Street
Richmond, Virginia 23219 Phone: Area Code 703, 648-4445

MEMORANDUM

TO: Local Councils
FROM: Robert L. Combs
DATE:
SUBJECT: Voter Registration Survey

You probably have read in the newspapers that the VCHR Staff has been conducting a voter registration survey in certain Virginia Counties. Would you please assist us and your locality by making the survey which follows:

Name of Council on Human Relations _____

Name of County (or City surveyed) _____

1. Has there been a change from district registrars to a central registrar? When did the change take place?

2. State the day, time, and place for registration?

3. Is voter registration being publicly advertised?
   By Newspapers
   By Printed Forms Posted in Public Places (Court House)

4. Are all citizens receiving their poll tax notices?
   Have you discovered any device to discourage the paying of poll taxes (Marked through the bill, or person told not necessary to pay poll taxes, etc.)

5. Are voter registration list posted in public places (voting places) being made available to the public?
   Are they listed by race?

6. Are poll tax records being made available to the public?
   Are they listed by race?

7. Are you aware of violations to Title I, Voting of the Civil Rights Act of 1964? (Do you have a copy of the laws?)

8. Are you aware of any violations of the Virginia Election Laws? (Do you have a copy of the Virginia Election Laws?)

9. Have you noticed any pattern developing, not mentioned above which might be a means of making voter registration more complex or might tend to discourage people from registering to vote?

II. CHANGES IN REGISTRATION PROCEDURES

A. Many areas in Virginia have, since January 1965, changed from district registrars to a central registrar -- Lunenburg, Amelia, Nottoway, Brunswick and Sussex. Prince Edward and Surry Counties have had this procedure for several years.

B. The change brought about brief hours and once or twice per month for the time to register. Amelia (9-5, second Saturday each month), Brunswick (5 day week 30 days prior to an election), Lunenburg (10-2, second and fourth Thursday of each month), Nottoway (two days per month) and Sussex (one day per month) were some examples in question. This caused a hardship on all races of people who were of the working class. A press release was issued on July 16, 1965, pointing out this fact. Since that date, and also due to demonstrations by SCLC-SCOPE and Virginia Students' Civil Rights Committee, some counties changed their policy by allowing more days and more hours--such as Lunenburg, Nottoway and Sussex. We wish to express our appreciation for these changes.

C. Some county officials made statements to the press (Richmond Times-Dispatch, Tuesday, July 20, 1965) that the reason for a central registrar in place of district registrars was due to -- efficiency, cost saving factors and difficulties in retaining sufficient qualified registrars for a district system. This appears to be true.

D. It is the opinion of the VCHR that the reason was also a "subtle" practice to keep the central registration office closed most of the time during the month which appeared to be another way of denying the right to vote to large groups (white and Negro) in Virginia. This new procedure worked a hardship especially upon the Negro and the laboring class of whites, who in most cases would have to get off from work in order to register to vote.

E. Therefore, the number of registered voters have been low in relationship to the number eligible to be registered, which reflects upon the voter registration story of Virginia. The past has not been a very good record.

III. ADVERTISEMENT OF VOTER REGISTRATION

A. Registrars are failing to post in public places the time of such sitting for the Registrar for the purpose of registering qualified voters. Visits were made to such places as courthouses, general stores in rural areas, service stations and post offices. The following counties did not have the time, date and place posted in a public place for the purpose of registering qualified voters—Chesterfield, Essex, Isle of Wight, James City, Louisa, Nansemond, Prince George, Southampton, Surry and Sussex. Dinwiddie during July did not have the notice posted, then in early August had the notice posted and the latter part of August it was removed. Charles City had a printed notice posted, but the information written in ink was not legible.

B. Newspapers were not checked to see if notices were given by this means.

C. It is the belief of the VCHR that newspaper notices and the posting of a written or printed notice should be used. Many people were experiencing difficulty in discovering this information about the date, time and place in order to register to vote.

D. Virginia Election Laws, #24-75. "Notice of time of such sitting. ---He shall give notice of the time and place at which he will sit for the purpose set out in the preceding section for at least ten days before each sitting by posting written or printed notices thereof at ten or more public places in his jurisdiction or by publication in a newspaper of general circulation therein."

E. It should be noted that some counties are posting a written or printed form to advertise voter registration.

IV. POLL TAX PAYMENTS AND POLL TAX LISTS:

1. Poll Tax Payments:

A. Registration Confusion—Some Negro citizens in Sussex County who had paid their poll tax and registered to vote between the period of May-October 1964 with the understanding that they had registered for ALL elections. When these residents attempted to vote in the July 13, 1965 Democratic Primary, they were informed at the polls, "you are not registered to vote in this election." Citizens signed a statement for VCHR swearing to the truth of these events.

B. Mr. Herbert Coulton, Virginia Field Secretary of SCLC, stated that in July 1965 certain residents of Sussex County attempted to pay their poll taxes. The County officials in the Treasurer's Office stated, "we do not have the proper tax receipts for the prior years, you must come back in order to pay your back poll taxes."

C. County Officials in James City County several years ago mailed personal property tax statements with the poll tax section marked out to certain Negro residents. When these Negro residents went to pay their poll tax they were told by county officials in the tax office, "it was NOT necessary to pay the poll tax." The VCHR staff interviewed several Negro ministers of the county to verify these statements and discovered it was a true statement, but had happened about two years ago.

D. It is a general practice not to send out poll tax statements to many residents. The Virginia Beach Council on Human Relations discovered that you had to be a previous voter, or request such a statement, before the city treasurer would send the resident a bill for poll tax.

E. Mr. Henry E. Howell, an attorney from Norfolk and a member of the VCHR Board, has attempted through court proceedings to make the State of Virginia collect back poll taxes. The local treasurers of city and county governments do not attempt, in most cases, to collect poll taxes that are in arrears.

F. The Daily Progress Newspaper, July 31, 1965 Editorial, page 4. "Virginia Should Act Anyway...As a revenue-raising device, the poll tax is demonstrably feeble...As a means of keeping the election rolls up to date, the poll tax is equally clumsy and outdated...An additional objection to the poll tax that has been cited is contained in the unfair suspicion it creates that Virginia is using it as a means of discrimination against potential voters...the case against poll taxes is so strong that Virginia should take the initiative to rid itself of this archaic political remnant."

G. Since passage of the 1965 Voting Rights Act, most of the problems in attempting to register to vote have been with the City or County Treasurer. Lunenburg, Nottoway and Dinwiddie Counties have had confusion over which year to pay. The City of Richmond attempted to assess property values and its payment before accepting poll tax payment.

IV. POLL TAX PAYMENTS AND POLL TAX LISTS - Cont'd.

2. Poll Tax Lists:

A. Poll tax lists are not being kept accurately in some localities. The City of Williamsburg and James City County residents involved in the recent annexation found themselves having difficulty in attempting to vote in the July 13, 1965 Democratic Primary according to members of the Williamsburg Council on Human Relations. It was discovered that, due to mistakes in the recordd of poll tax lists, there was an undue burden placed on the qualified registered voter when he attempted to vote.

B. Evidence was acquired to prove that Dinwiddie and Lunenburg Counties published poll tax lists according to race for the year 1965. Photographs were taken by VCHR staff of their respective courthouse bulletin boards and registrar's bulletin boards. Copy of the poll tax list was obtained from Lunenburg County. Unconfirmed reports exist that this case also exists in Chesterfield County.

C. The case of Hamm vs. Virginia State Board of Elections was decided by the Federal District Court and affirmed by the U.S. Supreme Court, stating in effect, "localities in Virginia as of January 1, 1965, were supposed to discontinue maintaining separate poll tax lists for Negroes and whites, and to discontinue segregating voter registration lists in the same manner."

D. In the case of Dinwiddie and Lunenburg Counties, the publishing of lists of taxpayers who have paid their poll tax by race is probably a violation of the U.S. Supreme Court's decision in the Hamm case. It appears that if this practice continues there may be a possibility that a contempt of court proceeding could be instigated by citizens of the state against the Virginia State Board of Elections and the Virginia State Tax Commissioner.

E. Since many counties would not allow even residents to see the poll tax lists, it is believed that possibly there are other counties following this same unlawful pattern.

F. Visits were made by VCHR staff immediately following the July 13, 1965 Democratic Primary and no posting of the poll tax list could be found on courthouse bulletin boards in the following counties:

Amelia
Chesterfield (visited in August, failed to find the list)
Charles City (August 1965 after a revisit it was posted)
Essex
Henrico (visited in August 1965)
Isle of Wight
James City
Nansemond
Nottoway
Powhatan (visited in August 1965)
Prince George
Surry
Sussex (unconfirmed report, citizens could not obtain list)

This also applies to the City of Virginia Beach, according to the local Council on Human Relations.

V. VOTER REGISTRATION LISTS

A. In July 1965, VCHR staff observed on the James City County Court-House bulletin board two (2) lists posted by the City of Williamsburg which read as follows:

List #1

"City of Williamsburg Office of Registrar of Voters COLORED Registrations for Federal Election only from Jan. 1 to Oct. 3, 1964"
(a page listing the names of Negroes who were eligible to vote)

List #2

"City of Williamsburg Office of Registrar of Voters WHITE Registrations for Federal Election only from Jan. 1 to Oct. 3, 1964"
(a page listing names of white persons eligible to vote)

(Refer to newspaper account--The Daily Press, Newport News, Aug. 10, 1965. "Complaints of Confusion Registered for Vote Here")

B. In many counties surveyed, the VCHR staff could not find the voter registration list posted on the courthouse bulletin board.

C. The Virginia Beach Council stated that they were not aware of these lists being posted.

D. Again, the survey made by VCHR staff was made soon after the Democratic Primary, July 13, 1965.

E. County Registrars were not posting a registration list in accordance to paragraph 24-78 of the Virginia Election Laws. This section reads ... "---It shall be the duty of the registrar within five days after each sitting to have posted at three or more public places in his jurisdiction separate or printed lists of the names of all persons so admitted to registration, under #24-67 and #24-67.1, respectively..." It was the belief of legal counsel and the VCHR that this action may possibly be a violation of the Virginia Election Laws. The VCHR failed to find the posting of new voter registration lists being posted at public places (such as Courthouse Bulletin Boards, outside of Registrar's office, etc.) in the following counties--Amelia, Charles City, Chesterfield, Dinwiddie, Henrico, James City, Louisa, Lunenburg, Nottoway and Prince George.

VI. COMPLIANCE TO THE U. S. VOTING RIGHTS ACT OF 1965

A. This brief survey is not to assume that these cases listed were the only violations of the 1965 Voting Rights Act. The purpose is to reveal a sudden interesting trend that was not as evident prior to the passage of the ACT.

B. Nottoway County Registrar officials would have had seven complaints filed against them, but the VCHR staff was successful in negotiations. Six complaints were on the grounds that attempts were used by certain registration officials to intimidate the people attempting to register to vote by the conversation which occurred between the parties in question. One complaint was on the grounds of intimidation of a citizen who was aiding the people in their attempt to register to vote.

C. A person who was assisting citizens to register to vote signed a formal complaint against the Lunenburg County Treasurer on the basis of the conversation between the two parties and the citizens' attempt to pay their poll taxes for the current year.

D. Staff from the VCHR negotiated with the Treasurer of Dinwiddie County in order to prevent a formal complaint from being filed by certain citizens on a day of registration.

E. Other County Treasurers were confused about the procedure of poll tax payments in relationship to the Virginia State Election Laws and to the new U. S. Voting Rights Act.

F. The NAACP negotiated with the City Treasurer of Richmond when he made a requirement that a citizen must first be assessed for his personal property tax and this must be paid before the acceptance of the poll tax payment. This procedure was soon clarified.

Coalition

Check Jim Wood (SRC) 1967(?) to La. Public (?)

THE IMPACT OF THE NEGRO ON LOUISIANA'S FUTURE

The President's Council of Economic Advisers recently reported that:

"Negroes have not been sharing fully in the abundance of our economy. On the average, they have less education, work in less skilled occupations, suffer more unemployment, and get paid lower wages.

"If Negroes received the same average pay as whites having the same education, the personal income of Negroes and of the nation would

be $12.8 billion higher. This is a measure of the effect of discrimination in employment.

"If Negroes also had the same educational attainments as white workers, earned the same pay and experienced the same employment percentage as whites, their personal income--and that of the nation--would be $20.6 billion higher.

"The entire economy would benefit from better education of Negro workers and an end to job discrimination. Industry would earn additional profits. The total Gross National

Product would rise by an estimated $23 billion--an additional 3.7 per cent."

These statements by the President's Advisers are no doubt true--but they would apply with equal or greater force among many other non-white groups -- the Mexican-American, the Indian, and others.

And, here in Louisiana, because of our high illiteracy rate among the poor whites, identical statements would apply in the educational and economic fields.

But, there can be no question about the fact that so far as opportunity is concerned, the Negro is more discriminated against than is any other Louisiana group. Among Louisiana citizens, he truly has far less opportunity for advancement--educationally and economically.

He has less chance for acceptability in the social, political, religious, educational, business, industrial, and union worlds.

And where he is accepted, quite often it is because legally he must be accepted, or at least tolerated.

And, so, under these conditions, we find that the Negro in Louisiana usually hesitates to take advantage of opportunities that may be open to him.

For instance, he legally has the right to apply for admittance to apprenticeship training programs but most Negroes who could qualify under such programs make no effort to do so.

Generally speaking, a high school education is required and in most cases this requirement has existed for 15 or 20 years.

Educationally speaking, many Negroes could meet this requirement but the

percentage of them as compared to the total Negro population is far less than the percentage of whites as compared to the white population.

In most cases, the white youth who applies for apprenticeship training comes from a family where the father, uncle, cousin or other close relative is also employed as a skilled craftsman. This tends to encourage the white youth to seek this form of occupation.

This is seldom true in the case of the Negro youth. With few exceptions, the Negro high school graduate does not have close relatives who are

skilled craftsmen in the accepted sense of the word.

Therefore, he does not receive the knowledge, encouragement, or assistance that will cause him to actively seek to enter the apprenticeship programs.

He must apply before his 26th birthday. Usually the Negro youth, leaving high school, considers other occupations as more desirous, at least for several years. Quite often he finds that he is disqualified because of age when he finally determines to consider the apprenticeship program.

I readily admit that in addition to these problems, sometimes he faces hostile employer and union forces who operate within the framework of the law but who would prefer that he not qualify and, therefore, offer no assistance or encouragement.

It stands to reason that in a field foreign to him and in an atmosphere that does not necessarily remind him of home, he seldom can qualify.

This does not apply in most cases--in fact, it really happens in relatively few instances--but these are the ones that are remembered--and are spoken

of--and, therefore, have a great impact on future applicants.

In fact, some skilled crafts in Louisiana are predominantly Negro. The bricklayers' unions are approximately 80% Negro. This is a high skill - high wage occupation.

In 1966, there were 1,209 new apprentices in all trades approved in Louisiana. About 16% of the new apprentices were Negro. Since the Negro population of Louisiana is approximately 32% of the total, this means, of course, that for the Negro to be enrolled in the apprenticeship program in proportion to his

per cent of the population, he must at least double his enrollment.

This obviously will not happen unless many changes are made--and most of the needed changes are not directly related to the apprenticeship program.

Education, it seems to me, is the key--and I speak of education in a broad sense.

Improved formal education is a must, of course. There can be no doubt that the educational opportunities and standards for the Negro are inferior

to those of the white, and the improvements that have been made took place only in very recent years.

Therefore, the results of the changes will not become apparent in the immediate future.

More rapid transition and improvement must be made in our educational system--with emphasis being placed on better quality education for Negroes.

More effort must go into making better employment opportunities available to qualified Negroes.

Programs of employment must be especially designed to encourage the educated Negro youth to remain in Louisiana and not migrate to other states--thereby leaving, in the majority in Louisiana, the uneducated, unskilled, unqualified Negro.

Negroes themselves must realize that this is a competitive world--in employment--in opportunities--in education-in social standing--and in acceptability.

I say that because one of the problems that remains unsolved in spite of all recent legislative and social changes is the unwillingness on the

part of some Negro leaders to engage competitively in fields where they are well qualified and where they have the opportunity to make changes.

Witness the fact that in labor unions where the law requires that white and Negro locals merge, strong resistance often comes from the Negro section as well as the white section. This occurs in professional organizations, too.

Note the unwillingness on the part of the white Louisiana Teachers Association and the Negro Louisiana Education Association to comply with the N. E. A. directive to merge.

The officers of the Negro group are adamant about the merger--and so are the whites.

Quite often the attitude of the white is dictated by prejudice but the Negro's attitude is motivated by his reluctance or inability to compete with the white unionist or teacher.

This brings about many problems. It prolongs the day when the Negro can compete successfully with the white in an integrated society--it tends to cause him to accept and sometimes be satisfied with a lesser role or position of employment.

In many fields of endeavor such as sports, entertainment and military, the Negro has proven that he can successfully compete when he truly makes an all-out effort. He can do likewise in education and work skills if the opportunity and motivation is present.

Society owes him the educational and work opportunities but he must furnish the motivation.

When these two things are accomplished, society will no longer face the charge of discrimination--and the Negro no longer will have less education, work

in less skilled occupations, suffer more unemployment, and get paid lower wages.

Remarks of

Mr. Victor Bussie
Public Affairs Research Council
13th Annual Conference
March 9, 1967
Baton Rouge, Louisiana

Coalition

Republican National Committee

1625 EYE STREET, NORTHWEST, WASHINGTON, D. C. 20006 NATIONAL 8-6800

NEWS

FOR RELEASE

FOR IMMEDIATE RELEASE

NEW BLACK GROUP IN WASHINGTON ENDORSES NIXON

A newly formed group of young Black Washington residents have endorsed Republican Richard M. Nixon for President.

The group is called D. C. Blacks for a 2-Party Voice and was formed, according to one of its founders, to develop a power base for the Republican party in the City in the event Nixon wins.

In a statement released this week, the group said:

"Not one black man of national stature has enthusiatically or even warmly endorsed Hubert Humphrey, whereas Nixon has been endorsed by leaders among which includes Mrs. Myrtle Ollison, President of the National Association of Colored Womens Clubs."

The group said that the Democratic voter registration in the District far exceeds the Republican but that a vote for Humphrey would be a "vote wasted."

The group said that black people have to be a part of the power structure and put their needs first.

A member of the group said that it was founded on "the concept that black Americans must have representation in the mainstream of political power regardless of the party in power," and that black people can do that it it has a base from which the Republicans can operate.

The Democratic party has traditionally attracted Negroes and as a result there is a huge void in black strength in the Republican party, according to Joseph McLaughlin, a District businessman and a member of the new group.

McLaughlin, in charge of co-ordinating the group's activities, said its membership of about 50 is growing at the rate of 20 a day and predicts there would be 1,000 persons on its rolls by the first of next week.

Members of the group include: Dr. James Sheppard, a local physician; Floyd Anderson, an attorney; Enoch Butler, an anti-poverty worked; Herbert Muriel, an attorney; Leon Hawkins, a private contractor; and Dr. Herman Stamps, a professor of Dentistry at Howard University.

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For further information
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VOL. CLXVI NO. 120

Voting Law's Impact

Registration by Negroes In the South Falls Off Following Initial Flurry

Apathy and Fear Keep Many From Signing Up; More Federal Registrars Sought

Encounter in a Country Store

By NEIL MAXWELL
Staff Reporter of THE WALL STREET JOURNAL

JACKSON, Miss.—In a country store near Beulah, 120 miles northwest of here, a young white girl in light colored jeans and a turtleneck sweater pleads with three Negroes to register to vote. One intently studies a row of Campbell Soup labels, another stares at his dusty, high-topped shoes, and the third drifts off. After 20 minutes without evoking a response, the girl, a civil rights worker from California named Kay Lynn Norman, gives up.

That pretty well sums up what's happening in the Negro voter registration drive in the South. It started off with a bang after Congress passed the new voting rights law last summer, with 180,000 new Negro voters added to the rolls in three months in the seven Southern states affected by the act. But now registrations have slowed to a trickle, and it appears that predictions the new law would lead almost overnight to the acquisition of immense new political power by Negroes were far wide of the mark.

The causes of Dixie Negroes' reluctance to register, even where Federal voting registrars have been assigned, are proving frustratingly difficult to combat. Overwhelming apathy, born both of near-illiteracy and of a habitual indifference to the political matters, they had no voice in for so long, keeps thousands of Negroes from signing up to vote. Another deterrent is a vague, unreasoning anxiety over invading what has been the white man's domain. And there are more specific fears of economic or physical reprisals for Negroes who try to exercise their new rights.

It all adds up to rough going for civil rights workers, who already have their hands full with harassment from white segregationists.

"Some of Them Lie"

"We've been running into a whole bag of problems," says Hunter Morey, a thin, crew-cut white youth who works for the Student Nonviolent Coordinating Committee (SNCC) here in Mississippi's capital city. "Working door to door, some of them lie to you and tell you they are already registered just to get rid of you, and others won't even answer the door. Even some of the ones who will talk argue that there's no sense in registering—who are they going to vote for?"

Some 3.4 million Negroes of voting age live in the Southern states at which the voting law is aimed. Of these Negroes, 1.3 million, or 39%, are now registered. In the same group of states, there are 16.6 million whites of voting age. Of these, 7.3 million, or 44%, are registered.

Last summer the Rev. Martin Luther King, Jr., forecast that the new voting law's simplified procedures and restrictions on the use of literacy tests would add a million new Negro voters to the rolls in the South within a year. Now the civil rights leader says this total won't be reached unless Washington sends more Federal registrars into the South to enroll Negro voters. This step is authorized for areas that are particularly obdurate about opening the polls to Negroes, and so far the Justice Department has assigned registrars to 32 counties in four states—Louisiana, Mississippi, Alabama and South Carolina. Earlier this month the U.S. Civil Rights Commission, in a report to Attorney General Katzenbach, agreed with Mr. King that more Federal registrars are needed.

Idle Registrars

Current registration activity in Mississippi, however, suggests that more registrars are far from the whole answer to the problem. For the Federal registrars now on duty in the state aren't doing much business, even though large blocs of unregistered Negroes remain in the counties to which they have been assigned.

Mississippi is probably the state where Negroes have most to gain by registering and voting in force. There are 422,256 Negroes of voting age in the state, compared with 748,-218 whites. Before the voting law was passed, some 33,000, or 8%, of the potential Negro voters were registered, compared with 71% of the whites.

Now another 23,000 Negroes have been registered. But almost all the gain came in the days immediately after the Federal registrars' offices were opened, and since then Negroes have shown scant interest in registering. What has happened in Madison County, just to the north of Jackson, is fairly representative of developments in the 14 Mississippi counties to which Federal registrars were assigned.

In Madison County, 3,896 Negroes signed up at the registrars' office, located in a vacant store in the Negro section of the town of Canton, in the initial two weeks it was open in August. But in the four weeks from Sept. 24 to Oct. 23, only 44 more Madison County Negroes were registered. And, a spokesman for the office said recently, "it's down a lot more since then. Last week five showed up, but the week before there were only three." With traffic so light, the Madison County office is open only on Saturday now, instead of five and a half days a week as it was at first.

Picking Cotton

The slowdown doesn't stem from lack of effort by civil rights workers. Miss Norman, a SNCC volunteer, tells back-country Mississippi Negroes over and over that "what you've got to do is get together and stand up for yourselves, and the first step you've got to take is to go down there and register to vote." The Mississippi Freedom Democratic Party, a mostly Negro organization that is the dominant force in the registration campaign in the state, has deployed teams of workers throughout the state. To talk to Negro tenants on cotton plantations, whose owners and overseers usually run off rights

Please Turn to Page 10, Column 3

BEST COPY AVAILABLE

Voting Law's Impact: Registration By Negroes in the South Falls Off

Continued From Page One

workers if they spot them, members of the teams frequently have taken jobs as extra cotton-picking hands during the harvest now ending.

But Roosevelt White, a Negro on a registration team that has been working in Bolivar County, cite of the town of Beulah, says: "When the 11 of us can talk 20 Negroes into going down to the courthouse, it's a good day."

Fears of white reprisals against Negroes who register or encourage others to do so are not limited to Mississippi. Mr. King's Southern Christian Leadership Conference (SCLC) claims it can produce 150 documented cases of Negroes in Selma, Ala., losing their jobs for taking part in a vote drive earlier this year. In Crawfordville, Ga., Calvin Turner, a science teacher, claims he and five other Negro teachers lost ther jobs at the local Negro school this year because they had been active in an unusually successful voter registration drive.

"The ones who aren't registered see what happens to your jobs and they are afraid," says Mr. Turner. "We're trying to convince them that their right to vote is more important than a job, but it's hard."

It was probably fear of trouble that recently led a group of Negroes in the small east Georgia logging town of Lincolnton to go so far as to block a march on the courthouse led by SCLC staffers. "We like things as they are," insisted a leader of the Negroes obstructing the voting demonstration.

But some Negroes in Lincolnton feel that apathy plays as large a role as fear in keeping Negroes away from the polls in the town. "I'll have to agree that Negroes haven't shown much interest," says Welcome Mason, principal of the Lincoln County Training Center, a local Negro school. "They haven't registered for the same reason they haven't done anything else—lethargy and being too wrapped up in themselves to see past their nose." Lincolnton Negroes have made some registration progress lately—100 of them can vote now, up from only three in 1960. But those on the books are still only a fraction of the 1,300 Negroes of voting age in the town.

Information Program Urged

Advocates of stepped-up Government activity in the voting field don't limit their recommendations to the assignment of Federal registrars to areas that don't have them now. The Civil Rights Commission has urged that the Justice Department launch an information program to tell Negroes about voting rights. The commission also has called for greater Federal efforts to insure that, once registered, Negroes can actually vote without fear of intimidation.

"What it adds up to is that we are recommending that the Attorney General go into the affirmative field instead of just removing obstacles," says a member of the commission.

Civil rights workers here in Mississippi would have the Government go even further. Besides demanding Federal registrars in each of the state's 82 counties, they are asking that the registrars move around from one spot to another instead of waiting in an office for registrants to come to them. "Ideally, we want them to come along with us so they could sign people up as we talk to them, or else give us the forms and let us sign them up ourselves," says one voter registration worker.

Mr. Katzenbach has viewed the Government's role in regard to voting rights more narrowly than either the Civil Rights Commission or the registration workers in the South. Says a spokesman for the Attorney General: "He knows he's going to get shot at by the civil rights groups, but his response is that where Negroes want to be registered, we will see there are no obstacles in their paths. It's up to the civil rights groups to create enthusiasm and political activity among the Negroes."

There is considerable evidence that getting Southern Negroes registered is only half the battle for civil rights forces; bringing them to the point where they exercise their new power effectively can prove equally difficult.

Staying Home

This fall in Greenville, Miss., when the first Negro ran for the city council since Reconstruction, it was widely assumed that he would get the votes of nearly all the 1,100 eligible Negroes. But less than half the qualified Negroes turned out to vote at all. Hodding Carter, liberal publisher of the Delta Democrat Times in Greenville, who employs three Negroes at his country home just outside town, says: "Every time an election comes up, I have to practically take them by the scruff of the neck down to the polls."

Even in areas where Negroes gain an edge in registration, they may be unable to bring their weight to bear. This is the case in Crawfordville, the town in which the Negro teachers lost their jobs.

In Crawfordville and surrounding Taliaferro County, there are 925 registered Negroes, compared with 900 whites. But Mr. Turner, the sparkplug of the local Negro registration drive, indicates it will take years for Negroes to determine the outcome of an election or even to gain enough influence to cause the county school superintendent—an elective official—to hesitate to fire Negro teachers without an explanation.

The election machinery, Mr. Turner complains, is dominated by whites. "The elections are run by the Democratic executive committee, and it meets in the American Legion Hall, which is segregated, and we can't even get in," he says. He maintains that because the polls are manned entirely by whites, many Negroes are afraid to vote, while others meekly obey the instructions of white poll workers as to how to vote.

Fischbach & Moore Acquisition

NEW YORK — Fischbach & Moore, Inc., a New York-based electrical contracting concern, said it agreed to acquire A. S. Schulman Electric Co., a Los Angeles electrical contractor, through an exchange of stock. Details weren't disclosed.

Selma, Ala. Drive: 1,300 Organized in 5 Weeks

SELMA, Ala. — The RWDSU's Southern drive has taken a huge forward step with the organization during the early part of July of majorities among 700 workers at three plants in this area. Added to the 600 workers organized in June, this brings the total in five weeks to 1,300.

Alabama Council Org. Henry Jenkins, who is heading the drives, declined to name the latest shops organized until NLRB petitions for elections are filed, but said that he expected to file shortly.

The union has now organized 1,800 workers in the Selma and Greensboro area over the past year, and the pace has been stepped up sharply in recent weeks. Many of these are Negro workers, who are seeking to bring the victories of the civil rights movement to their jobs.

The changing atmosphere in and around Selma was revealed also in an NLRB victory reached last month in which seven workers at a food service company received $1,950 in back pay, which had been denied them through discrimination for their union membership. (See Page 7 for details.)

'Workers Speaking Up'

"Workers are speaking up for their rights now," said Jenkins. "The union makes them feel strong."

The organizing drives are being nailed down with election results and — most important — contracts. The union won an election among the 100 employees of the Greensboro Packing Co. July 6 by a 45-17 vote, and signed a first contract for 60 members at the Henry Brick Co. in Selma.

Negotiations at Greensboro Packing, a packer of beef and pork products, are expected to begin the week of July 24. Robert Weaver, Alfonso Williams, Sara Holifield, David Lee Smith, James Gooden, Inez Lewis and Jenkins will bargain for the workers.

The Greensboro Packing drive started when workers at Massengale Poultry Co., where the RWDSU won an NLRB election in November and a contract in March, began talking to the Greensboro Packing workers.

The two plants are the only organized shops in Greensboro, a town of 2,200, and the county seat of Hale County.

Eddie Long and Jenkins headed the drive at the packing plant.

The union has NLRB petitions for elections pending at the U.&W. Manufacturing Co. in Selma, which employs 325 workers, and at Ames Bag and Packing Co. in Marion, which employs 140 workers.

Ames laid off 29 employees, all Negroes, after the union filed for an election June 6, and replaced them with white workers. The union has filed charges against the company with both the NLRB and the Equal Employment Opportunity Commission.

Attendance of the Ames workers at union meetings is high, and the employees are determined to bring in the union, Jenkins said.

At Henry Brick Co., the RWDSU won a first contract for 60 workers earlier this month.

The agreement provides a 20-cent across-the-board wage increase and a ten-cent adjustment for some classifications over the 30 months of the contract; seniority, up to two weeks of vacation and paid holidays for the first time, and other benefits.

The RWDSU members include carpenters, fork-lift operators, drivers, firemen and kiln men.

NEW ERA IN ALABAMA was symbolized by the Freedom March from Selma to Montgomery in March 1965. Richard Jackman of Local 29 in New York City (at left) was one of the marchers in the famous photo, printed all over the world. Civil rights movement has inspired workers in Selma area to organize into RWDSU.

Coalition

Don't Be Fooled by the Hate Peddlers

An Election Day Message to RWDSU Members
By President Max Greenberg

I am taking this opportunity to contact every member of our union to discuss a matter of vital concern to all of us. On November 8th, millions of Americans will be going to the polls—including many thousands of RWDSU-ers and members of their families.

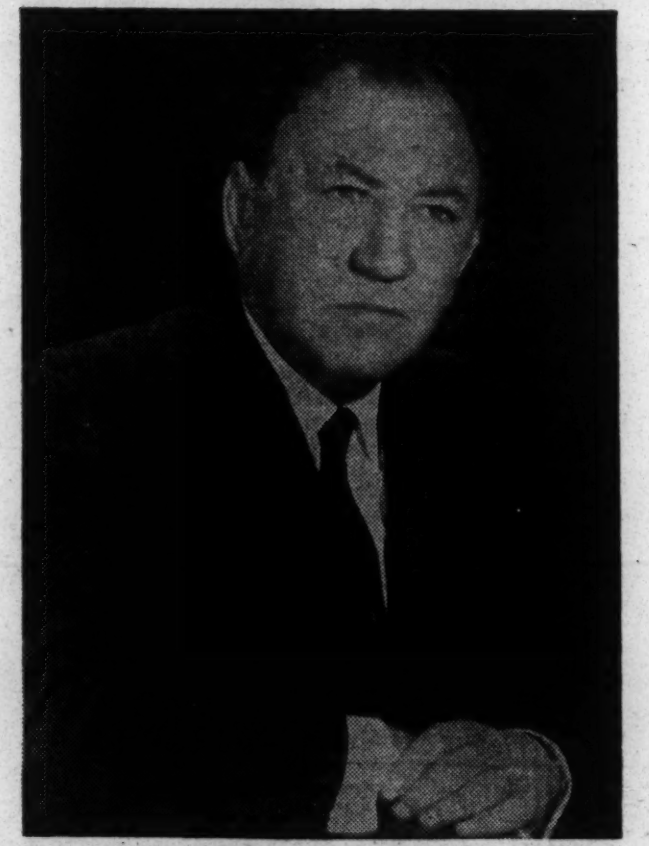
One thing about the election disturbs me more than anything else: I am very fearful that many voters—including union members—will go into the polling booths on Election Day and vote their fears and hatreds rather than their hopes and common sense.

More than ever before, efforts are being made to use an ugly and dangerous weapon in our political life: the weapon of racial resentment and prejudice. In the Negro community as in the white community, cynical demagogues are seeking to widen the gap between the two groups and to set them at each other's throats.

A. Philip Randolph, whose adult life has been devoted to organizing workers and to the struggle for civil rights, has pointed out in a recent speech reprinted in the last issue of The Record how damaging both "black power" and "white backlash" are to Negroes and whites. I want to underscore what Phil Randolph has said by relating it to this year's elections.

In state after state, reactionary politicians are appealing to naked emotions, to hate and fear and racism, in an effort to stop progress and turn back the clock. They capitalized on riots in the Negro ghettoes this past summer to defeat a civil rights bill which would have guaranteed open, unsegregated housing.

But that wasn't all they defeated. These same



MAX GREENBERG

forces were also able to filibuster to death the repeal of Section 14-B and thus deny workers in 19 "right-to-work" states the same union security enjoyed by workers in the other 31 states. These reactionary forces were able to stop a bill to permit picketing at construction sites. And they were able to kill a bill liberalizing unemployment benefits and setting uniform standards for unemployed workers to receive such benefits.

So we can see that even in this 89th Congress, with the largest liberal majority in more than 30 years, reactionary forces have been able to wreak havoc with social and labor legislation. Just imagine how much more damage they can do if they pick up 50 or 60 more seats in the House of Representatives, as they expect to do!

If the peddlers of hate could have their way, they wouldn't be satisfied merely with repealing the civil rights legislation enacted during the past six years. They would want to go on from there to wipe out Medicare, to enact new restrictions on labor, to turn back the clock on every piece of social legislation enacted since FDR's New Deal.

Two years ago, Barry Goldwater spoke out frankly and openly on his ultra-conservative program—and the American people rejected him and his right-wing views by the biggest majority ever registered in a presidential election. Today the reactionaries are much more clever and subtle. They conceal other objectives behind the mask of "white backlash."

But I believe the American people will refuse to be misled in 1966 any more than they were in 1964. I believe that white Americans and black Americans will, in overwhelming numbers, reaffirm their desire for progress, their faith in freedom and their belief in full equality for all peoples.

I share with A. Philip Randolph the conviction that Negroes will reject appeals made to them by demagogues who preach hatred and separatism. And I know that A. Philip Randolph shares with me — and with the overwhelming majority of trade unionists—the conviction that white Americans will reject the peddlers of racism and hate.

And so, as solemnly as I can, I urge every member of the RWDSU to vote on Election Day, to oppose racism and reaction and to vote for progress. Be guided by your own good judgment, and I'm sure your decision will be the correct one.

BESSEMER, ALABAMA

Founded September 9, 1887, by Henry F. DeBardeleben. Bessemer was named for Sir Henry Bessemer, the English scientist who invented a process for making steel. Bessemer was incorporated as a town in 1888, as a city in 1889. The 1960 census population of Bessemer was 33,500 (14,509 white, 18,982 colored, and 9 others). Present estimated population of Bessemer is 39,500.

Bessemer has a Commission form of government. The Commission is composed of Jess Lanier, President; Ed Porter, Police Department; Tom Ashley, Street Department. The Commissioners serve for four years.

The City Recorder (judge) is James Hamrick, who serves a four-year term.
The City Attorney is J. Howard McEniry, Jr.

The Sheriff of Jefferson County is Mel Bailey.
The Chief Deputy in charge of Bessemer Cut-Off is James Thompson.
The Deputy Probate Judge is Harris Moore.
The Bessemer Circuit Judges are Edward Bell and Gardner F. Goodwyn, Jr.
The Civil and Criminal Judge is Walter Briggis.
The Solicitor in Bessemer Cut-Off is James Hammond.

NEGRO MEMBERS OF DEMOCRATIC EXECUTIVE COMMITTEE, Precinct 1:

Community Center, Braswell Housing Project ---------	David H. Hood
Community Center, South Bessemer Housing Project ---	Sam Allen
National Guard Armory ----------	Willie Davis
Brighton Junior High School ----------	Herman Woodward
City Hall, Brownville ----------	Abram Dale
McNeil Community Center ----------	Israel Williams
Bryant Chapel A.M.E. Church ----------	Charles Moorer

KNOW YOUR ELECTED STATE AND COUNTY OFFICIALS WHO TOOK OFFICE JANUARY 1, 1967

UNITED STATES SENATOR	John J. Sparkman (D)
GOVERNOR	Mrs. Lurleen Wallace (D)
LIEUTENANT GOVERNOR	Albert Brewer (D)
ATTORNEY GENERAL	Mac Donald Gallion (D)
SECRETARY OF STATE	Mabel Amos (D)
STATE TREASURER	Agnes Baggett (D)
STATE AUDITOR	Melba Till Allen (D)
STATE SUPERINTENDENT OF EDUCATION	Ernest Stone (D)
COMMISSIONER OF AGRICULTURE	Richard Beard (D)(ck f/corr.)
ASSOCIATE MEMBER PUBLIC SERVICE COMMISSION	Jodie Connell (R)
U.S. REPRESENTATIVE 5TH CONGRESSIONAL DISTRICT ..	Armistead Selden (D)

SENATORS FROM JEFFERSON COUNTY:

Place 1 - Hugh Morrow (D)	Place 5 - George L. Bailes (D)
" 2 - Leland Childs (R)	" 6 - Eddie H. Gilmore (D)
" 3 - John Hawkins (D)	" 7 - Paschal P. Vacca (D)
" 4 - Richard Dominick (D)	

MEMBERS OF HOUSE OF REPRESENTATIVES FROM JEFFERSON COUNTY:

Place 1 - Paul Meeks, Jr. (D)	Place 11 - Tram Sessions (D)
" 2 - J.T. Waggoner, Jr.(D)	" 12 - Newman Yeilding (D)
" 3 - Robert L. Ellis (D)	" 13 - R.F. Holman (D)
" 4 - Hubert Kilgore (D)	" 14 - Verbon E. Crane (D)
" 5 - Richard Dill (D)	" 15 - Quinton Bowers (D)
" 6 - Joe Money (D)	" 16 - John W. Cook (D)
" 7 - Bob Adwell (D)	" 17 - Frank House (D)
" 8 - Raymond Weeks (D)	" 18 - Marvin Cherner (D)
" 9 - Tommy Watkins (D)	" 19 - Tom Gloor (D)
" 10 - Robert C. Gafford (D)	" 20 - Thomas H. Jackson (D)

COUNTY COMMISSIONERS - W. Cooper Green, President

No. 1 - E. H. Gilmore (D)	No. 2 - Thomas B. Pinson (D)

TAX ASSESSOR	Earl T. Rogers (D)
TAX COLLECTOR	J.D. Smith (D)

Courtesy of BESSEMER VOTERS LEAGUE

NEWS from the AFL-CIO

NA. 8-3870

FOR RELEASE ON DELIVERY

Following is the text of a special Labor Day broadcast made by AFL-CIO President George Meany over the Columbia Broadcasting System's radio network. The program will be carried by CBS at 7:35 p.m. EDT on Monday, September 5, 1966, but will be heard in Washington over Station WTOP at 11:45 p.m. EDT Sunday, September 4, 1966.

On this Labor Day, the domestic issue that is attracting the most attention in the newspapers, and in news broadcasts, is the national economy.

Every day there are stories about inflation, about the so-called wage "guidelines", about the federal budget and so on.

Most of us are not economists and find the special jargon that economists often use rather confusing. But there is one side of economics that we do understand, and that is the family budget.

The family budget is very much affected. The cost of living has been going up. Almost every family is feeling the pinch. So let's see who is responsible and what can be done about it.

One fact must be made clear at the start.

Prices are not being pushed up by wages.

This is not just a claim. It is a fact, proved by government statistics.

The part that wages play in prices is measured, not by hourly rates of pay, but by unit labor costs. That is, how much money is paid for the labor involved in every piece produced.

From 1960 through 1965, unit labor costs in manufacturing showed a decrease. For an item that sold for $10 in 1960, the cost of labor was $2. For that same item in 1965, the cost of labor was $1.96. If the price went up in those five years, it wasn't because of the cost of labor.

In the first six months of 1966, unit labor costs did creep up. They rose by one-tenth of one percent. But the wholesale prices of industrial products leaped 2.8%, or 28 times as much.

That's the story of inflation in 1966. It is a profit inflation, pure and simple.

Between 1960 and 1965, corporate profits soared 52 percent before taxes and 67 percent after payment of taxes. Dividend payments to stockholders rose 43 percent. But weekly take-home pay of factory workers increased only 21 percent, and in terms of buying-power, merely 13 percent.

And this situation continues today.

The classic causes of inflation do not exist today. There is no great accumulation of pent-up purchasing-power, competing for goods that are in short supply. There are no shortages of goods; there is no excess of purchasing-power. The pressures that push prices upward in a true inflation simply are not there.

But prices are going up anyway. That is what we mean by a profit inflation.

Now the Federal Reserve Board, which has the responsibility for monetary policy -- meaning the supply of money, and the cost of money -- claims it is trying to correct this inflation. But it has been using the wrong device at the wrong time. The Federal Reserve Board has repeatedly pushed up interest rates, so that they are now the highest in 40 years, and likely to go higher. In fact, the cost of money has gone up faster than any other cost -- 33 1/3%, or a full third, since last December.

This has made matters worse instead of better. It has not slowed down the profit inflation at all. But it has made the cost of living even higher.

Anyone who is in the market for a new house, already knows what I am talking about.

What is called the "prime" interest rate is now 6%. But that's the rate for the very biggest borrowers. That's not what the ordinary citizen pays. He pays more. On a home mortgage, for instance, a buyer is now asked to pay at least 6½%, against 5½% just a short time ago.

Maybe that doesn't sound like much. Well, listen to this: On a $20,000 mortgage over 25 years (the normal mortgage period), that 1% difference will cost an extra $3,660.

For the vast majority of wage and salary earners, $3,600 represents well over half a year's earnings. Moreoever, at that rate, the borrower pays out $40,500 over 25 years -- the interest payments of $20,500 are greater than the loan, itself.

Even then there may be more trouble. The lender may not accept a standard 10% down payment. He may demand much more. That is not easy, especially for young people buying their first home.

But the bankers can be choosy. With a "prime" interest rate of 6%, some small business loans now go for 10% or better.

And those higher rates to farmers and small businessmen hit consumers from another side. The high cost of money adds to the small businessman's total costs. He has to get the money by raising prices.

So it is not just home-buyers who are feeling the pinch. It is pinching everyone -- except the bankers. They are doing very well indeed.

The full impact of the latest rise in interest rates has already been felt in one area -- felt by those buying a car.

Let's ignore the sharp practices that are often involved in dealer financing, and just take a standard bank loan on a new car, amounting to $3,000 for three years.

The New York Times on August 24 reported that the effective rate on new car loans at the big New York City banks is now 9½ percent. Of course, this is the lowest rate; borrowing from finance companies is much more expensive.

But at this lowest rate, a man financing a $3,000 automobile over a three-year period is now going to pay $498.54 in interest. That's $89 more than he would have paid a year ago. He gets nothing more in a car. It's the bankers who get that extra $89.

This is the sort of thing that is hitting the family. High interest rates are being translated into price boosts all along the line from the farmer, industrial producer and builder to the consumer. They are also being translated into increased rents, which are already too high.

Leaving the family budget for a moment, it is also hitting our hopes for a better society. For instance, between December 1965 and March 1966, the New York Public Housing Authority found that the interest rate it would have to pay on its bonds had gone up.

Let's look at what that means -- not in terms of percentages but in terms of housing units that could not be built, just because of the high cost of money.

A total of 1400 apartments -- homes for 5,500 people -- could not be built. The bankers got that money -- the people did not get their homes.

And since March 1966 the cost of money has gone up and up and up.

These are the highlights of the problems that affect us all. Let us look very briefly at the very real threat they pose to the general prosperity, and then suggest some solutions.

The home-building industry in the United States is at a standstill -- a full-fledged depression. It is at a standstill because of the tight-money, high-interest policies of the Federal Reserve Board.

The whole economy is in danger because profits and interest rates have risen enormously while wages have barely kept pace with the cost of living, and in many instances have lagged behind it. An expanding economy -- an economy where productive capacity is soaring, where manhour output is breaking records -- demands a comparable growth in the real buying-power of American consumers.

We in the labor movement cannot understand those on the management side whose whole lives are devoted to producing more and more, at lower and lower costs, but who never seem to consider that without full employment at good wages, there simply will not be enough customers to buy what they produce.

Now let's talk about remedies -- remedies that need to be applied before it is too late.

First, interest rates must be rolled back. This will require Congressional action under the leadership of the President.

Second, a big source of today's profit inflation is a capital goods boom resulting from a 7% tax credit for business -- in effect, a subsidy for new business investment. It should be repealed. If there ever was a reason for this device, the reason no longer exists. On the contrary, this handout to business stokes the fires of inflation.

Third, consumer purchasing-power -- the foundation of the American economic system -- must be improved. In the last year, there has been hardly any increase at all in the buying-power of workers' take-home pay.

Fourth, pending improvements in minimum wages, unemployment compensation and other income-raising measures should promptly be enacted into law.

Fifth, the concept of public investment in America at every level -- education, the war on poverty, conservation, recreation, housing and all the rest -- should be continued and expanded.

Finally, it must be recognized that free collective bargaining is the one most effective instrument for insuring a proper balance between the economic equities of labor and management.

In this country, more than in any other, organized workers know they have a stake in the enterprise that employs them. They know they have a stake in its profitability. They know they have a stake in its competitive position. But they also know the needs and the equities that involve themselves.

This is why collective bargaining is so successful in the United States. This is why 98% of the collective bargaining agreements are hammered out, year after year, without any work stoppages, or any name-calling in the press.

Difficulties are more apt to arise when well-meaning outsiders -- whether it is the government or anyone else -- come along with a preconceived formula, that is supposed to fit every case.

Now suppose there is a genuine national emergency, so declared by the President. We say that -- if that happens -- then prices, profits, dividends, wages and everything else should be brought under control through measures that will guarantee equality of sacrifice by everyone.

The labor movement, which has always cooperated 100% under national emergency conditions in the past, will do so again if they ever arise again.

But until that happens, we will concentrate on protecting the family budget and protecting the United States from an economic disaster brought on by a profit inflation.

This is our duty as we see it; our duty to all Americans, not just to our members. On this Labor Day, we renew our determination to fulfill that duty to the utmost of our abilities.

- 30 -

Coalitions

25¢

Conflict or Coalition?

The Civil Rights Struggle and the Trade Union Movement Today

by Bayard Rustin

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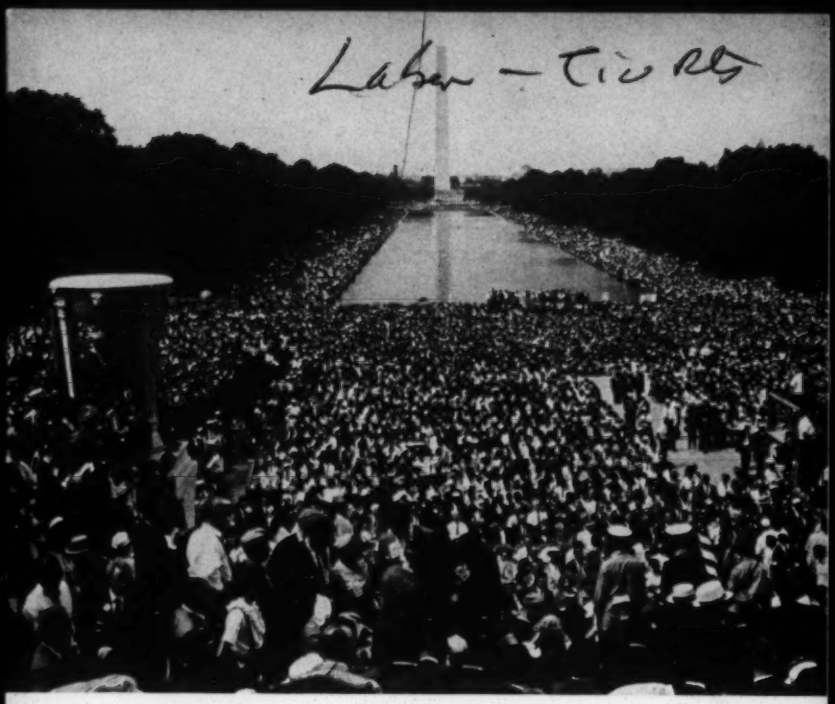
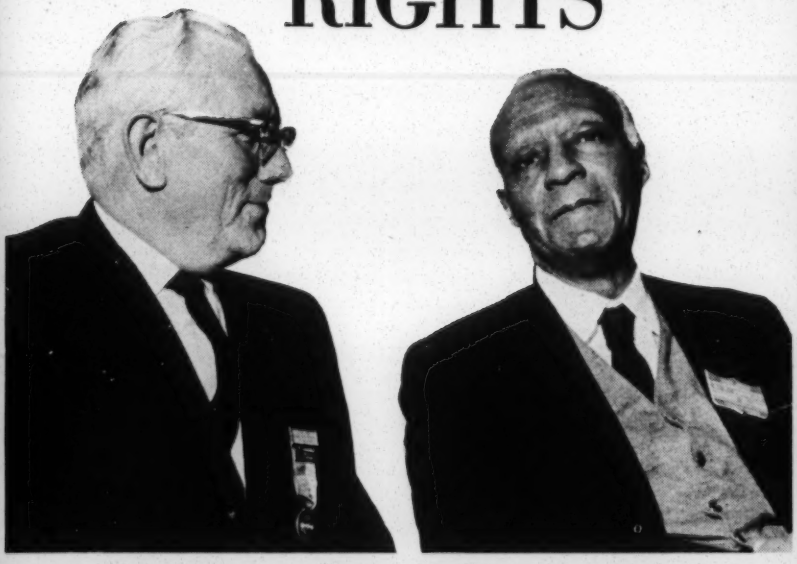


Working Together

TO SECURE THESE RIGHTS



An address by I. W. Abel, President of the United Steelworkers of America, before the sixth annual convention of the Negro American Labor Council in Baltimore, Maryland.

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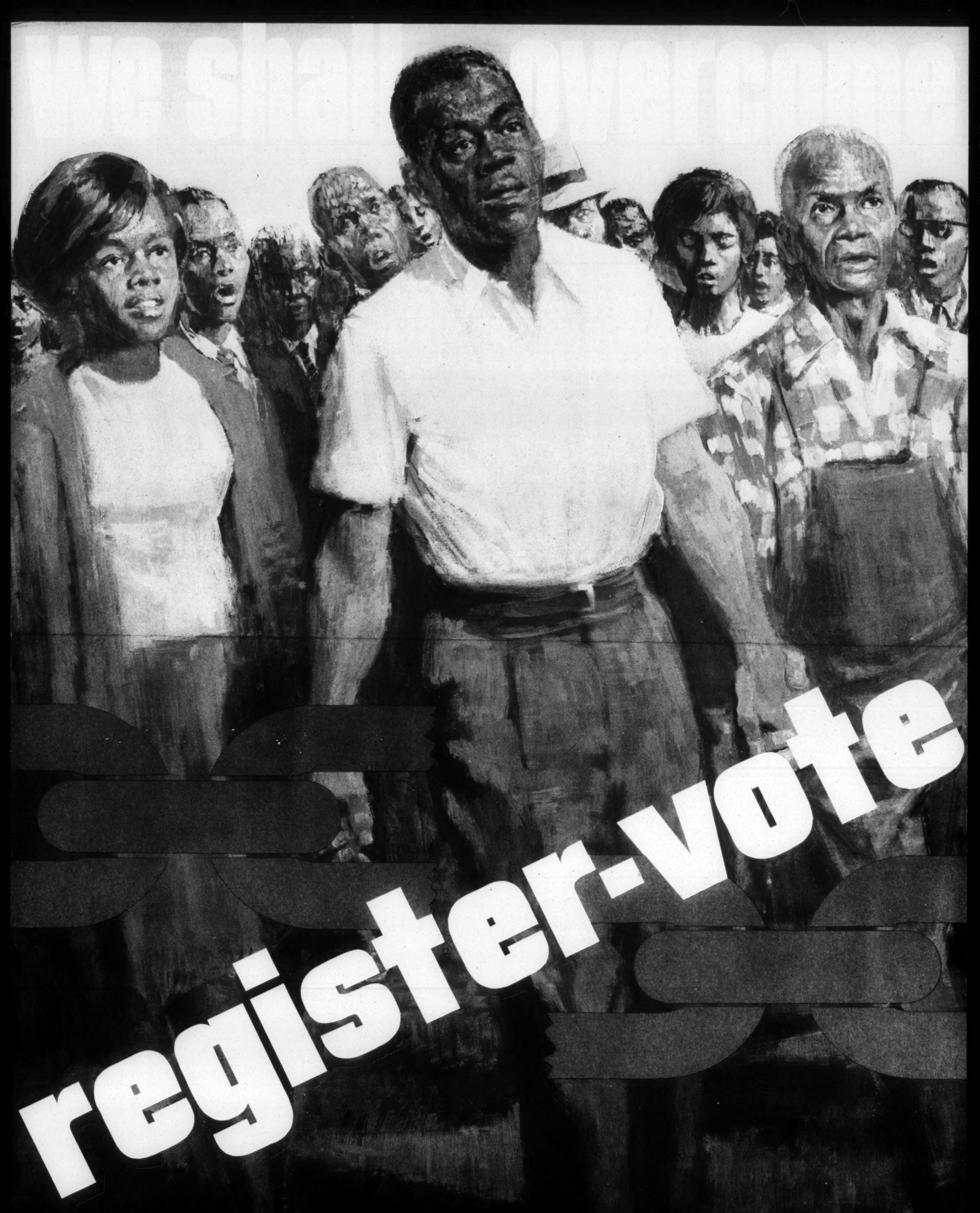

WE SHALL OVERCOME
register-vote

Politics - Va

Southern Regional Council, Inc.
Voter Education Project

VOTER REGISTRATION

VIRGINIA

COUNTY	Tot. Neg. Voters as of 10/64 *	Tot. Neg. Voters as of 4/62	Increase /62 - 11/64	Neg. Voting Age Pop. 1960 Census	% Elig. Negroes Reg.	Total Reg. 10/64 *	% Neg. of Total Reg.	Total LBJ Vote	Total BG Vote	Tot. Neg. Voters Some More Cur. Figures	Cur. Neg. Voters as % of Elig.
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
ACCOMACK	979	815	164	6,142	15.9	6,677	14.7	3,528	3,145		
ALBEMARLE	1,215	780	435	2,576	47.2	7,700	15.8	3,062	3,251		
ALLEGHANY	800	160	640	256	100+	5,450	14.7	1,580	1,104		
AMELIA+	888	672	216	1,924	46.2	3,335	26.6	884	1,348		
AMHERST	1,275	686	589	2,693	47.3	7,977	15.9	2,730	2,675		
APPOMATTOX+	505	262	243	1,142	42.2	4,546	11.1	1,339	2,444		
ARLINGTON+	2,525	1,307	1,218	5,241	48.2	68,579	3.7	33,567	20,485		

VOTER REGISTRATION VIRGINIA - 2

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
AUGUSTA	339	214	125	864	39.2	10,502	3.2	4,039	4,327		
BATH	116	75	41	340	34.1	1,748	6.6	770	516		
BEDFORD	1,343	965	378	3,044	44.1	9,131	14.7	4,076	3,806		
BLAND	7	17	-10	146	4.8	1,954	.4	851	717		
BOTETOURT	145	154	-9	778	18.6	4,741	3.1	2,377	2,098		
BRUNSWICK+	914	813	101	4,734	19.3	4,585	19.9	18,833	2,560		
BUCHANAN	0	0	0	8	0	11,221	0	4,756	2,349		
BUCKINGHAM+	825	355	470	2,208	37.4	2,525	32.7	1,182	1,547		
CAMPBELL	1,132	840	292	3,291	34.4	7,235	15.6	3,401	5,713		
CAROLINE	1,601	793	808	3,201	50.0	4,203	38.1	2,064	1,166		
CARROLL	11	11	0	41	26.8	6,638	.02	2,517	3,617		

VOTER REGISTRATION VIRGINIA - 3

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(11)	(12)
CHARLES CITY	943	703	240	2,126	44.4	1,433	65.6	1,023	323		
CHARLOTTE	808	524	284	2,500	32.3	5,322	15.2	1,191	1,974		
CHESTERFIELD	1,794	1,962	-168	4,862	36.9	30,994	57.9	8,376	17,486		
CLARKE+	348	221	127	786	44.3	3,485	9.9	1,136	1,068		
CRAIG	0	0	0	3	0	1,250	0	767	477		
CULPEPPER	807	488	319	2,068	39.0	5,861	13.8	1,886	1,775		
CUMBERLAND+	759	300	459	1,647	46.1	2,759	27.5	871	1,099		
DICKENSON	27	0	27	64	42.1	7,635	3.5	3,485	2,143		
DINWIDDIE+	1,284	1,013	271	8,587	14.9	4,525	28.4	2,182	2,096		
ESSEX	667	315	352	1,665	40.0	2,307	28.9	760	789		
FAIRFAX+	1,904	1,036	868	9,110	20.9	89,165	2.1	49,680	30,755		
FAUQUIER +	1,492	500	992	3,093	48.2	8,226	18.1	3,506	2,101		

VOTER REGISTRATION VIRGINIA - 4

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
FLOYD	155	108	47	308	50.3	4,638	3.3	1,165	1,856		
FLUVANNA	222	186	36	1,378	61.1	1,588	13.9	1,008	823		
FRANKLIN	451	370	81	1,728	26.1	5,700	7.9	3,447	2,279		
FREDERICK	50 (4/64)	50	0	232	21.6	6,025	.8	2,880	2,585		
GILES	84	30	54	232	36.2	6,104	1.4	3,133	1,952		
GLOUCESTER	1,172	707	465	1,882	62.3	5,045	23.2	1,949	1,631		
GOOCHLAND	514	776	-262	2,312	22.2	2,141	24.0	1,452	1,241		
GRAYSON	173	119	54	329	52.6	6,951	2.5	3,238	3,105		
GREENE	125	92	33	328	38.1	1,851	6.8	460	641		
+ GREENSVILLE	1,890	1,034	856	3,885	48.6	5,357	35.3	2,262	2,245	(9/65) 1,993	51.3
HALIFAX	1,700	850	850	6,769	25.1	7,855	21.6	2,198	3,928		

VOTER REGISTRATION VIRGINIA - 5

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
HANOVER	1,639	811	828	3,302	49.6	10,423	15.7	2,864	4,879		
HENRICO	1,527	1,015	512	3,397	44.9	48,639	3.1	12,779	29,286		
HENRY	1,574	401	1,173	4,113	38.3	11,403	13.8	5,295	2,844		
HIGHLAND	10	10	0	16	62.5	1,507	.7	476	511		
ISLE OF WIGHT +	1,893	1,164	729	4,317	43.8	6,134	30.9	2,656	1,737		
JAMES CITY	960	610	350	2,056	46.7	3,648	26.3	1,744	1,092	(9/65) 1,100	53.5
KING & QUEEN	780	410	370	1,617	48.2	1,936	40.3	1,085	644		
KING GEORGE	513	263	250	1,009	50.8	2,354	21.8	786	699		
KING WILLIAM	683	345	338	1,864	36.6	2,553	26.8	904	1,065		
LANCASTER	1,229	788	441	1,978	62.1	4,307	28.5	1,245	1,663		
LEE	59	60	-1	100	59.0	11,990	.5	5,151	3,463		

VOTER REGISTRATION VIRGINIA - 6

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
LOUDOUN+	979	401	578	2,239	43.7	10,402	9.4	4,278	2,594		
LOUISA	1,279	432	847	2,482	51.5	4,123	51.0	1,731	1,369		
LUNENBERG+	660	340	320	2,534	26.0	3,481	18.9	1,128	1,847		
MADISON	(4/64) 247	240	7	898	27.5	2,382	10.4	862	1,060		
MATHEWS	326	210	116	1,062	30.7	2,544	12.8	1,137	1,149		
MECKLENBURG+	620	408	212	6,624	9.4	5,290	11.7	3,238	4,976		
MIDDLESEX	538	392	146	1,363	39.5	2,222	24.2	973	1,019		
MONTGOMERY	0	325	-325	960	0	9,610	0	3,872	4,604		
NANSEMOND+	2,792	2,090	702	9,806	28.5	6,896	40.5	4,804	2,590		
NELSON	704	474	230	1,813	38.8	5,031	13.9	1,635	893		
NEW KENT	501	445	56	1,229	40.8	1,686	29.7	684	677		

VOTER REGISTRATION VIRGINIA - 7

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
NORTH HAMPTON	810	265	545	4,786	16.9	3,135	25.8	1,516	1,586		
NORTHUMBERLAND	1,021	835	186	2,123	48.1	4,397	23.2	988	1,423		
NOTTOWAY+	1,320	635	685	3,458	38.2	5,340	24.7	2,138	2,353		
ORANGE	561	265	296	1,429	39.3	3,586	15.6	1,508	1,595		
PAGE	85	80	5	271	31.4	7,100	1.2	2,606	2,804		
PATRICK	229	122	107	616	37.2	5,209	4.4	2,306	1,488		
PITTSYLVANIA	1,476	640	836	8,604	17.2	9,816	15.0	5,228	7,120		
POWHATAN+	867	522	345	1,563	55.5	2,687	32.3	969	1,182		
PRINCE EDWARD+	1,112	665	447	2,896	38.4	4,197	26.5	1,512	2,545		
PRINCE GEORGE+	986	510	476	2,420	40.7	4,332	22.8	1,502	1,790	(9/65) 1,216	50.2
PRINCE WILLIAM+	438	519	-81	2,217	19.8	10,055	4.4	5,611	3,343		

VOTER REGISTRATION VIRGINIA - 8

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
PRINCESS ANNE	2	1,336									
PULASKI	(4/64) 366	256	110	1,030	35.5	6,836	5.4	3,620	3,101		
RAPPAHANNOCK	213	190	23	540	39.4	1,592	13.4	675	449		
RICHMOND	353	255	98	1,132	31.2	1,997	17.7	636	901		
ROANOKE	977	592	385	2,211	44.2	28,451	3.4	8,808	10,714		
ROCKBRIDGE	950	430	520	1,127	84.3	7,780	12.2	2,599	2,200		
ROCKINGHAM	70	86	-16	427	16.4	8,700	.8	4,205	4,155		
RUSSELL	76	47	29	297	25.6	9,611	.8	4,330	3,012		
SCOTT	84	77	7	193	43.5	10,641	.8	4,720	4,533		
SHENANDOAH	115	75	40	188	61.2	9,551	1.2	3,184	3,981		
SMYTH	70	86	-16	327	21.4	8,648	.8	4,113	3,830		

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
SOUTHAMPTON+	2,045	677	1,368	7,435	27.5	6,620	30.9	2,566	1,520		
SPOTSYLVANIA	632	430	202	1,503	42.0	5,097	12.4	2,907	1,261		
STAFFORD	712	440	272	971	73.3	4,397	16.2	2,469	1,888		
SURRY+	1,140	445	695	1,842	61.9	2,761	41.3	1,131	1,004	(9/65) 1,487	80.7
SUSSEX+	1,354	920	434	3,706	36.5	3,890	34.8	1,234	1,537	(9/65) 1,866	50.4
TAZEWELL	768	477	291	1,071	71.7	14,484	5.3	6,081	3,231		
WARREN+	250	132	118	587	42.6	5,485	4.6	2,494	1,886		
WASHINGTON	249	178	71	546	45.6	9,437	2.6	5,070	4,146		
WESTMORELAND	441	407	34	2,352	18.8	3,761	11.7	1,312	1,181		
WISE	225	115	110	685	32.8	11,457	1.9	7,220	3,309		
WYTHE	283	287	-4	523	54.1	10,313	2.7	2,879	2,958		

VOTER REGISTRATION VIRGINIA - 10

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
YORK	1,623	2,173	-550	2,428	66.8	8,175	19.9	3,385	2,992		
CITY											
ALEXANDRIA +	2,548	1,495	1,053	6,025	42.3	35,466	7.2	16,828	8,825		
BRISTOL	192	125	67	672	28.6	4,720	4.1	2,429	1,289		
BUENA VISTA	23	26	-3	156	14.7	1,041	2.2	691	459		
CHARLOTTESVILLE	2,181	1,406	775	3,369	64.7	13,643	15.9	5,205	4,415		
CHESAPEAKE	3,672		(3,672)	1		25,186	14.6	9,532	9,038		
CLIFTON FORGE	435	215	220	600	72.5	2,660	16.4	1,252	850		
COLONIAL HGTS.	0	0	0	17	0	4,337	0	1,198	2,420		
COVINGTON	1,005	465	540	751	100+	3,865	26.0	2,055	1,149		
DANVILLE	3,246	2,015	1,231	6,388	51.2	17,125	18.9	4,539	7,900		

VOTER REGISTRATION VIRGINIA - 11

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
FAIRFAX	41	46	-5	1		5,863	.7	2,835	1,924		
+ FALLS CHURCH	69	38	31	114	60.5	4,455	1.5	2,371	1,329		
FRANKLIN	899	326	573	1		2,651	33.9	1,257	783		
+ FREDERICKSBURG	621	573	48	1,471	42.2	4,334	14.3	2,410	1,511		
GALAX	20		(20)	152	13.2	1,520	1.3	717	697		
HAMPTON	5,789	3,515	2,274	10,825	53.5	27,222	21.3	13,542	8,731		
HARRISONBURG	190	185	5	436	43.6	4,065	4.7	1,765	1,820		
+ HOPEWELL	750	250	500	1,549	48.4	6,350	11.8	2,498	3,183	(9/65) 972	62.8
+ LYNCHBURG	3,446	2,042	1,404	6,574	52.4	20,154	17.1	6,758	10,044	(2/66) 3,600	54.8
MARTINSVILLE	1,233	406	827	2,972	41.5	7,405	16.7	2,943	1,805		
NEWPORT NEWS	8,307	5,893	2,414	20,974	39.6	33,796	24.6	15,296	10,584		

VOTER REGISTRATION VIRGINIA - 12

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
NORFOLK	15,801	11,273	4,528	45,376	34.8	74,694	21.2	32,388	18,429		
NORTON	200	35	165	188	100+	1,420	14.1	824	372		
PETERSBURG+	3,919	2,643	1,276	9,821	39.9	10,272	36.5	4,521	3,253	(9/65) 4,396	44.8
PORTSMOUTH+	6,725	5,623	1,102	21,055	31.9	24,711	27.2	16,073	8,420		
RADFORD	296	248	48	333	88.9	4,861	6.1	1,850	1,505		
RICHMOND+	(3) 27,485	17,355	10,130	53,719	50.3	82,485		35,662	27,196	29,000	53.9
ROANOKE+	3,037	2,860	177	9,519	31.9	35,175	8.6	15,314	13,164		
SOUTH BOSTON	540	260	280	969	55.7	2,515	21.5	636	1,206		
STAUNTON	645	402	243	1,288	50.1	7,708	8.4	2,705	2,969		
SUFFOLK	817	851	-34	2,769	29.5	3,596	22.7	1,579	1,463		
VIRGINIA BEACH	2,961	102	2,859	342	100+	29,124	10.2	12,892	10,529		
WAYNESBORO	385	175	210	548	70.3	6,348	6.1	2,369	2,107		

VOTER REGISTRATION VIRGINIA - 13

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
WILLIAMSBURG	384	273	111	583	65.9	2,016	19.0	1,171	906	(9/65) 396	67.9
WINCHESTER	174	91	83	708	24.6	5,309	3.3	2,254	2,180		
TOTAL	171,439	106,982	64,457	421,051		1,309,102		558,038	481,334	(4) 185,000	

* Official. State Board of Elections, October, 1964.

(1) Cities created after 1960 census.

(2) Changed from county to incorporated city.

(3) Unofficial field report. State Board of Elections had discontinued issuing records by race.

\+ Areas having had VEP activity.

(4) Statewide estimate.

(5) Colums (2) and (3) equal column (1) with the exclusion of the Princess Anne figure.

WHITE VOTER REGISTRATION

COUNTY	TOTAL* 10/64	% ELIG. REG.
ACCOMACK	5,698	43.3
ALBEMARLE	6,485	41.4
ALLEGHANY	4,650	69.7
AMELIA	2,447	100+
AMHERST	6,702	63.7
APPOMATTOX	4,041	95.2
ARLINGTON	66,054	64.5
AUGUSTA	10,163	47.7
BATH	1,632	54.8
BEDFORD	7,788	51.0
BLAND	1,947	55.6
BOTECOURT	4,596	50.8
BRUNSWICK	3,671	79.1
BUCHANAN	11,221	66.9
BUCKINGHAM	1,700	45.0
CAMPBELL	6,103	39.3
CAROLINE	2,602	68.6
CARROLL	6,627	48.7
CHARLES CITY	490	84.2
CHARLOTTE	4,514	90.0
CHESTERFIELD	29,200	81.4
CLARKE	3,137	78.1
CRAIG	1,250	60.9
CULPEPPER	5,054	72.6
CUMBERLAND	2,000	100+
DICKENSON	7,608	77.7
DINWIDDIE	3,241	62.2
ESSEX	1,640	73.2
FAIRFAX	87,261	62.1
FAQUIER	6,734	62.8
FLOYD	4,483	74.5
FLUVANNA	1,366	49.0
FRANKLIN	5,249	41.0
FREDERICK	5,975 (1)	47.9

COUNTY	TOTAL* 10/64	% ELIG. REG.
GILES	6,020	62.5
GLOUCESTER	3,873	72.5
GOOCHLAND	1,627	52.1
GRAYSON	6,778	66.6
GREENE	1,726	74.1
GREENSVILLE	3,467	77.1
HALIFAX	6,155	54.1
HANOVER	8,784	70.1
HENRICO	47,112	70.5
HENRY	9,829	55.2
HIGHLAND	1,497	73.4
ISLE OF WIGHT	4,241	85.0
JAMES CITY	2,688	55.5
KING GEORGE	1,841	57.5
KING WILLIAM	1,870	75.1
KING & QUEEN	1,156	66.6
LANCASTER	3,078	85.2
LEE	11,931	84.8
LOUDOUN	9,423	78.4
LOUISA	2,844	57.8
LUNENBURG	2,821	61.2
MADISON	2,135 (1)	55.0
MATHEWS	2,218	58.2
MECKLENBURG	4,670	44.6
MIDDLESEX	1,684	65.0
MONTGOMERY	9,610	53.1
NANSEMOND	4,104	58.9
NELSON	4,327	76.0
NEW KENT	1,185	89.4
NORTHAMPTON	2,325	43.5
NORTHUMBERLAND	3,376	85.1
NOTTOWAY	4,020	72.3

WHITE VOTER REGISTRATION

COUNTY	TOTAL* 10/64	% ELIG. REG.
ORANGE	3,025	48.3
PAGE	7,015	76.9
PATRICK	4,980	61.7
PITTSYLVANIA	8,340	36.5
POWHATAN	1,820	76.6
PRINCE EDWARD	3,085	60.2
PRINCE GEORGE	3,343	37.7
PRINCE WILLIAM	9,617	39.3
PULASKI	6,470 (1)	43.7
RAPPAHANNOCK	1,379	52.9
RICHMOND	1,644	60.6
ROANOKE	27,474	78.5
ROCKBRIDGE	6,830	53.9
ROCKINGHAM	8,630	37.6
RUSSELL	9,535	68.7
SCOTT	10,557	72.2
SHENANDOAH	9,436	70.3
SMYTH	8,578	47.2
SOUTHAMPTON	4,575	63.2
SPOTSYLVANIA	4,465	71.3
STAFFORD	3,685	42.9
SURRY	1,621	100+
SUSSEX	2,536	95.3
TAZEWELL	13,716	59.0
WARREN	5,235	63.8
WASHINGTON	9.188	43.5
WESTMORELAND	3,320	86.6
WISE	11,232	49.7
WYTHE	10,030	81.6
YORK	6,552	68.3
CITIES		
ALEXANDRIA	32,918	65.1
BRISTOL	4,528	48.3
BUENA VISTA	1,018	30.0
CHARLOTTESVILLE	11,462	72.1

CITIES	TOTAL* 10/64	% ELIG. REG.
CHESAPEAKE	25,514	(2)
CLIFTON FORGE	2,225	76.2
COLONIAL HEIGHTS	4,337	71.7
COVINGTON	2,860	46.1
DANVILLE	13,879	62.0
FAIRFAX	5,822	(2)
FALLS CHURCH	4,386	76.7
FRANKLIN	1,752	(2)
FREDERICKS-BURG	3,713	55.3
GALAX	1,500	48.8
HAMPTON	21,433	52.5
HARRISONBURG	3,875	57.4
HOPEWELL	5,600	63.3
LYNCHBURG	16,708	60.3
MARTINSVILLE	6,172	76.4
NEWPORT NEWS	25,489	57.6
NORFOLK	58,893	45.5
NORTON	1,220	44.1
PETERSBURG	6,353	50.7
PORTSMOUTH	17,986	40.6
RADFORD	4,565	90.7
RICHMOND	58,603 (3)	64.7
ROANOKE	32,138	61.2
SOUTH BOSTON	1,975	74.8
STAUNTON	7,063	53.2
SUFFOLK	2,779	52.7
VIRGINIA BEACH	26,163	100+
WAYNESBORO	5,963	68.8
WILLIAMSBURG	1,632	46.5
WINCHESTER	5,135	55.8
TOTAL	1,131,316	62.4

*Official. State Board of Election except where noted otherwise.
(1) Official, 4/64
(2) Unit created after 1960 census
(3) Estimate

Southern Regional Council, Inc.
Voter Education Project

VOTER REGISTRATION
GEORGIA

COUNTY	Tot. Neg. Voters 11/64	Tot. Neg. Voters 12/62 *	Increase 12/62 - 11/64	Neg. Voting Age Pop.	% of Elig. Negroes Reg.	Tot. Reg. ***	% Neg. of Tot. Reg.	Tot. LBJ Vote	Tot. BG Vote	Tot. Neg. Voters 9/65 ****	Most Cur. Reg. as % of Eligibles
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Appling	61	600** 1,351	-	1,401	43.5	7,766	.79	1,562	2,597	1,173	83.7
Atkinson	-	692	-	812	-	3,190	-	811	1,157	806	99.3
Bacon	-	101	-	536	-	6,285	-	1,179	2,136	252	47.
Baker	300	24	276	1,285	23.3	1,931	15.5	600	914	605	47.1
Baldwin	-	1,477	-	9,235	-	6,830	-	2,740	3,430	1,797	19.5
Banks	-	30	-	213	-	3,726	-	1,258	548	47	22.1
Barrow	-	312	-	1,332	-	6,160	-	2,277	2,316	326	24.5
Bartow	2,500	1,208	1,292	2,393	100+	13,739	18.2	4,635	2,813	1,226	51.2

VOTER REGISTRATION GEORGIA - 2

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Ben Hill	-	740	-	2,436	-	4,032	-	1,523	2,089	934	38.3
Berrien	435	400** 561	35	964	45.1	5,513	7.9	1,304	1,404	567	58.8
Bibb	9,473	5,042	4,431	26,812	35.3	36,300	26.1	17,831	19,245	9/65 9,847	36.7
Bleckley	-	45	-	1,380	-	3,391	-	979	2,578	64	4.6
Brantley	300	265	35	384	78.1	3,800	7.9	909	1,231	265	69.
Brooks	400	445	-	3,711	10.7	3,497	11.4	1,027	2,342	493	13.3
Bryan	1,105	817	288	1,111	99.5	3,077	35.9	857	1,433	1,165	100+
Bulloch	1,045	1,403	-	4,337	24.0	8,825	11.8	2,720	4,823	1,483	34.2
Burke	677	427	250	6,600	10.3	4,341	15.6	1,208	3,034	7/65 860	13.
Butts	990	1,582	-	2,099	47.6	5,076	19.5	1,534	1,261	9/65 992	47.3
Calhoun	-	145	-	2,393	-	1,830	-	289	1,066	372	15.5
Camden	1,218	1,176	42	2,059	57.1 59.2	3,646	33.4	1,693	1,802	1,356	65.9

VOTER REGISTRATION GEORGIA - 3

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Candler	-	1,066	-	1,200	-	4,055	-	795	1,701	899	74.9
Carroll	859	797	62	3,595	23.9	12,648	67.9	4,794	4,984	820	22.8
Catoosa	-	73	-	172	-	7,949	-	2,822	4,143	75	43.6
Charlton	-	204	-	810	-	2,300	-	574	1,179	429	52.9
Chatham	16,928	10,068	6,860	37,563	45.1	53,000	31.9	23,176	33,141	20,601	54.8
Chattahoochee	-	17	-	1,830	-	355	-	191	245	104	56.8
Chattooga	-	906	-	1,025	-	9,639	-	2,563	704	906	88.4
Cherokee	-	325	-	517	-	14,625	-	3,189	3,398	8/65 600	100+
Clarke	3,462	1,451	2,011	6,740	51.3 51.4	12,369	28.0	7,519	4,875	4,510	66.9
Clay	-	150	-	1,441	-	1,050	-	360	544	199	13.8
Clayton	-	544	-	2,456	-	15,638	-	5,869	10,488	592	24.1

VOTER REGISTRATION GEORGIA - 4

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Clinch	500	339	161	1,256	39.8	2,793	17.9	706	1,084	346	27.5
Cobb	2,663	1,808	855	4,568	58.3	32,285	-	16,647	20,863	2,219	48.6
Coffee	-	2,000	-	2,977	-	10,000	-	2,719	4,392	1,222	41.0
Colquitt	1,270	1,117	153	4,081	31.1	22,632	5.6	2,563	6,493	1,558	38.2
Columbia	-	659	-	2,364	-	4,720	-	1,428	2,575	671	28.4
Cook	1,131	600	531	1,755	64.4	6,531	17.3	1,337	2,058	637	36.3
Coweta	-	1,594	-	5,579	-	10,702	-	3,712	3,656	2,053	36.8
Crawford	501	284	217	1,611	31.1	1,687	29.6	723	959	1,303	80.1
Crisp	905	890	15	3,858	23.5 23.6	6,084	14.9	1,756	3,337	1,553	40.3
Dade	-	26	-	70	-	4,126	-	1,277	1,378	60	85.7
Dawson	-	0	-	1	-	1,835	-	932	639	0	0

VOTER REGISTRATION GEORGIA - 5

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Decatur	1,200	1,016	184	5,515	21.8	9,041	13.3	2,011	5,060	1,097	20.0
DeKalb	9,183	2,153	7,030	12,407	74.0	73,633	12.5	37,154	49,368	9/65 9,207	74.2
Dodge	2,000	2,180	- [1]	2,328	85.9	10,794	18.5	2,376	3,285	1,871	80.4
Dolly	1,400	722	678	2,866	48.8	5,652	24.8	1,471	1,662	762	26.6
Dougherty	5,930	3,668 [2] 4,800	2,262	14,163	41.9	19,630	30.2	5,248	12,776	9/65 6,080	42.9
Douglas	-	916	-	1,268	-	9,405	-	2,501	3,315	925	72.9
Early	700	261	439	3,277	2.1 21.4	4,429	15.8	771	2,398	448	13.7
Echols	-	19	-	246	-	857	-	184	399	19	7.7
Effingham	-	188	-	1,756	-	2,806	-	680	2,676	224	12.8
Elbert	-	934	-	3,127	-	9,721	-	3,172	1,887	1,219	39.0
Emanuel	2,443	2,098	345	3,005	81.3	10,307	23.7	2,279	3,311	2,167	72.1

VOTER REGISTRATION GEORGIA - 6

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Evans	-	483	-	1,308	-	2,689	-	799	1,572	494	37.8
Fannin	-	18	-	31	-	8,667	-	2,834	3,433	-	58.1
Fayette	-	26	-	1,190	-	2,786	-	896	1,349	28	2.4
Floyd	4,343	1,653	2,690	5,949	73.0	25,388	17.1	8,750	9,849	2,412	40.4
Forsyth	-	0	0	4	-	5,418	-	1,682	1,471	-	0
Franklin	-	100	-	776	-	7,600	-	2,753	474	100	12.9
Fulton	78,277	46,612[3] 35,834	31,665	117,049	66.9	10/14/64 224,031	34.9	93,374	73,160	62,320	53.2
Gilmer	-	4	-	7	-	4,110	-	2,159	2,167	3	42.9
Glascock	-	1	-	351	-	1,283	-	134	836	2	.06
Glynn	10,670	2,133	8,537	6,762	100+	18,371	58.1	5,712	7,341	2,260	33.4
Gordon	346	321	25	669	51.7	8,769	39.5	3,560	2,317	330	49.3

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Grady	-	629	-	3,364	-	4,709	-	1,887	2,892	679	20.2
Greene	1,838	1,538	300	2,998	61.3	4,503	40.9	2,698	1,093	2,513	83.8
Gwinnett	-	1,301	-	1,841	-	21,929	-	6,705	6,823	1,504	81.7
Habersham	-	200	-	518	-	8,423	-	3,412	1,595	504	97.3
Hall	811	733	78	2,789	29.1	13,985	58.0	8,003	4,296	1,104	39.6
Hancock	-	853	-	3,576	-	2,262	-	1,074	912	1,236	34.6
Haralson	-	384	-	642	-	2,546	-	2,174	3,041	404	62.9
Harris	306	263	43	3,102	9.9	3,646	8.4	938	2,165	518	16.7
Hart	-	281	-	1,832	-	6,259	-	3,412	1,166	380	20.7
Heard	-	325	-	590	-	2,646	-	1,062	807	351	59.5
Henry	2,877	2,377	500	3,539	81.3	10,102	28.5	3,583	3,725	2,895	81.8

VOTER REGISTRATION GEORGIA - 8

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Houston	980	413	567	4,228	23.2	8,779	11.2	4,258	6,532	516	12.2
Irwin	400	1,300	-	1,602	24.9	3,900	10.3	740	2,017	614	38.3
Jackson	-	408	-	1,309	-	7,087	-	3,948	1,660	663	50.6
Jasper	753	653	100	1,705	44.2	2,797	26.9	848	1,075	713	41.8
Jeff Davis	256	56	200	909	28.2	6,386	4.0	745	1,875	73	80.3
Jefferson	650	283	367	4,780	13.6	4,700	13.8	1,253	2,950	4,306	90.1
Jenkins	-	704	-	2,210	-	3,541	-	908	1,509	623	25.2
Johnson	236	262	-	1,261	18.7	3,444	6.9	682	1,940	280	22.2
Jones	2,200	923	1,277	2,185	100+	4,770	46.1	1,380	1,805	942	43.1
Lamar	1,007	992	15	2,118	47.5	4,597	22.0	1,548	1,570	1,013	47.8
Lanier	-	359	-	756	-	2,153	-	661	719	362	47.9

VOTER REGISTRATION GEORGIA - 9

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Laurens	2,441	2,231	210	6,248	39.1	12,031	20.3	3,828	5,329	4,119	65.9
Lee	3/64 187	29	158	1,795	10.4	1,239	15.1	244	1,041	60	33.4
Liberty	2,448	2,014	434	3,176	77.1	4,448	55.0	2,155	1,403	2,492	78.5
Lincoln	8	3	5	1,336	.06	2,445	.03	353	943	495	37.1
Long	572	1,061	-	635	90.0	2,773	20.6	1,327	214	1,063	100+
Lowndes	1,837	1,637	200	8,459	21.7	10,780	17.0	4,363	6,811	2,541	30.
Lumpkin	-	43	-	79	-	2,929	-	1,189	855	103	100+
McDuffie	-	251	-	2,740	-	4,297	-	1,124	2,657	731	26.8
McIntosh	-	1,219	-	1,823	-	2,615	-	1,193	795	1,830	100+
Macon	616	443	173	4,077	15.1	3,668	16.8	1,076	1,723	1,574	38.6
Madison	-	55	-	989	-	4,643	-	2,341	1,190	65	6.6
Marion	484	55	429	1,609	30.0	1,992	24.3	365	719	180	11.2

VOTER REGISTRATION GEORGIA - 10

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Meriwether	921	950	-	4,990	18.5	5,429	16.9	2,423	2,250	1,146	23.0
Miller	8	6	2	946	.08	3,228	.02	274	1,658	97	10.3
Mitchell	575	375	200	4,971	11.6	8,503	6.8	1,197	3,265	871	17.5
Monroe	-	738	-	2,652	-	4,676	-	1,578	1,655	762	28.7
Montgomery	-	715	-	1,288	-	3,100	-	878	1,409	719	55.8
Morgan	1,051	892[4]	159	2,469	42.6	2,627	40.0	1,654	1,485	938	38.
Murray	-	27	-	51	-	4,547	-	2,352	956	25	49.
Muscogee	9,568	4,801	4,767	22,549	42.4	37,163	25.7	12,446	21,025	9,818	43.5
Newton	1,101	901	200	3,767	29.2	6,784	16.2	3,260	2,678	925	24.6
Oconee	-	89	-	681	-	2,406	-	1,073	1,241	94	14.
Oglethorpe	346	259	87	1,709	20.2	3,109	11.1	864	1,126	282	16.5

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Paulding	-	543	-	603	-	8,169	-	2,513	1,916	501	83.1
Peach	2,647	679	1,968	4,562	58.0	5,186	51.0	1,585	1,970	2,888	63.3
Pickens	-	140	-	251	-	5,264	-	1,930	1,955	195	77.7
Pierce	-	380	-	1,135	-	4,256	-	982	1,981	528	46.5
Pike	556	496	60	1,643	33.8	3,076	18.1	946	1,064	498	30.3
Polk	1,800	1,395	405	2,443	73.7	12,290	14.6	4,555	3,282	1,398	57.2
Pulaski	-	235	-	1,843	-	3,255	-	953	1,768	288	32.1
Putnam	500	563	-	2,204	22.7	2,803	17.8	1,018	1,196	713	32.4
Quitman	-	38	-	707	-	831	-	232	377	73	10.3
Rabun	-	29	-	43	-	5,118	-	1,796	387	33	76.7
Randolph	773	423	350	3,663	21.1	3,268	23.7	962	1,656	738	20.1

VOTER REGISTRATION GEORGIA - 12

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Richmond	9,653	6,747 [1]	2,906	24,785	38.9	35,750	25.6	13,545	21,481	10,231	41.3
Rockdale	635	400 [1] 731	235	1,512	41.9	5,276	12.0	1,792	1,503	846	56.0
Schley	-	134	-	903	-	1,027	-	377	577	159	17.
Screven	-	863	-	3,729	-	4,393	-	1,446	2,260	873	23.5
Seminole	29	11	18	1,255	2.3	3,529	.8	427	1,294	338	26.9
Spalding	1,481	1,391	90	5,252	28.2	10,851	13.6	5,466	4,763	2,176	41.4
Stephens	-	627	-	1,355	-	8,869	-	3,442	1,263	735	54.2
Stewart	-	136	-	2,681	-	1,792	-	373	1,037	306	11.4
Sumter	958 1,170 2,600 8/64	548	622	6,710	17.4	6,851	17.1	1,727	3,774	4,349	64.8
Talbot	573	219	354	2,507	22.9	2,021	28.4	627	679	272	10.8
Taliaferro	-	828	-	1,073	-	1,774	-	628	337	984	91.7

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Tattnall	2,310	1,310	1,000	3,135	73.7	8,940	25.8	1,648	3,264	2,983	95.1
Taylor	-	389	-	2,004	-	3,329	-	1,097	1,372	421	21.
Telfair	1,476	325	1,142	2,087	70.7	5,435	27.2	1,868	1,890	1,516	72.6
Terrell	7/64 340	98	242	4,057	8.4	3,275	10.4	569	1,921	408	10.1
Thomas	1,779	1,579	200	7,644	23.3	10,201	17.4	3,257	6,306	1,795	23.5
Tift	2,600	1,113	1,487	3,513	74.0	9,281	28.0	2,286	4,650	1,511	43.0
Toombs	-	431	-	2,444	-	6,393	-	1,680	3,543	897	36.7
Towns	-	0	0	1	-	3,514	-	1,289	1,140	0	0
Treutlen	153	45	108	968	15.8	2,791	5.5	1,331	722	52	6.4
Troup	1,800	1,732	68	8,577	20.9	13,559	13.3	6,032	5,277	1,945	22.7
Turner	-	464	-	1,535	-	3,994	-	719	1,673	502	37.7

VOTER REGISTRATION GEORGIA - 14

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Twiggs	-	246	-	2,255	-	1,944	-	786	1,178	276	12.2
Union	-	0	0	1	-	5,662	-	2,135	1,473	0	0
Upson	691	655	36	3,615	19.1	7,095	9.7	3,264	3,041	667	18.4
Walker	-	1,019	-	1,388	-	25,947	-	5,454	5,963	1,022	73.7
Walton	-	458	-	3,076	-	6,839	-	953	2,874	784	25.5
Ware	3,200	2,391	809	4,763	67.2	15,565	20.6	5,159	4,948	2,424	50.9
Warren	-	188	-	2,224	-	1,828	-	384	1,070	617	27.7
Washington	1,784	1,542	242	5,451	32.7	7,053	25.3	1,830	2,296	1,630	29.9
Wayne	-	809	-	1,878	-	7,980	-	2,182	3,619	1,136	60.5
Webster	-	9	-	975	-	775	-	144	457	27	2.8
Wheeler	597	474	123	824	72.5	2,899	20.6	980	849	658	79.9

VOTER REGISTRATION GEORGIA - 15

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
White	-	242	-	169	-	4,462	-	1,520	840	225	100+
Whitfield	1,021	898	123	1,085	94.1	18,280	55.9	2,758	1,366	957	88.2
Wilcox	-	230	-	1,282	-	3,289	-	900	1,794	456	35.6
Wilkes	514	493	21	3,101	16.6	4,043	12.7	1,432	1,652	908	29.3
Wilkinson	468	411	57	2,279	20.5	3,509	13.3	963	2,172	713	31.3
Worth	-	296	-	3,776	-	6,151	-	682	3,157	336	8.9
TOTALS	5 267,251	176,058	6 91,193	612,910	43.6	1,385,943	19.3	512,756	602,381	265,066	43.2

* Unofficial figures as reported in Atlanta Journal & Constitution 4/28/63 unless otherwise noted. This was the only date for which figures were universally available.
** From field reports
*** Sum of white Unofficial figures cited in * plus 11/64 Negro voters
**** As of 1/66 unless otherwise noted.

1. 1960 Census. Georgia Voting Age 18.
2. 7/62 field report
3. 5/62 official figure
4. 3/62 field report
5. Where 11/64 figures not available, 1962 figures added to make the total
6. Difference between 11/64 and 12/62 totals

REGISTERED WHITE VOTERS

COUNTY	TOTAL 1/66	% ELIG. REG.
APPLING	7,128	100+
ATKINSON	3,202	100+
BACON	4,470	100+
BAKER	1,478	100+
BALDWIN	6,445	40.0
BANKS	3,273	85.0
BARROW	5,880	74.8
BARTOW	11,229	75.2
BEN HILL	3,376	56.9
BERRIEN	5,097	82.5
BIBB	27,031	44.7
BLECKLEY	3,380	74.6
BRANTLEY	3,505	100+
BROOKS	3,141	62.1
BRYAN	3,500	100+
BULLOCH	7,862	77.8
BURKE	3,713	85.2
BUTTS	4,033	100+
CALHOUN	1,802	100+
CAMDEN	3,006	87.2
CANDLER	2,909	100+
CARROLL	11,896	61.8
CATOOSA	11,029	89.2
CHARLTON	2,438	100+
CHATHAM	50,981	65.3
CHATTAHOOCHEE	470	5.8
CHATTOOGA	8,772	76.5
CHEROKEE	14,300 (12/62)	100+
CLARKE	12,562	52.6
CLAY	928	82.1
CLAYTON	15,656	65.2
CLINCH	2,303	97.1
COBB	29,640	46.8
COFFEE	10,866	100+
COLQUITT	12,306	76.9
COLUMBIA	4,089	80.2
COOK	5,423	100+
COWETA	11,115	93.5
CRAWFORD	1,416	88.7
CRISP	5,970	92.5
DADE	4,242	88.3
DAWSON	2,373	100+
DECATUR	7,878	86.9
DEKALB	109,912	74.2
DODGE	7,013	94.9
DOOLY	4,278	100+
DOUGHERTY	13,700 (12/62)	45.8
DOUGLAS	8,524	99.2
EARLY	4,012	100+
ECHOLS	838	100+
EFFINGHAM	2,651	66.1
ELBERT	9,143	100+
EMANUEL	7,987	100+
EVANS	2,223	81.2
FANNIN	8,494	100+
FAYETTE	2,784	77.7
FLOYD	23,169	60.6
FORSYTH	6,539	89.2
FRANKLIN	7,510	98.7
FULTON	158,396	63.9
GILMER	7,997	100+
GLASCOCK	1,457	100+
GLYNN	7,909	42.2
GORDON	8,448	73.8
GRADY	4,113	57.1
GREENE	3,285	92.1

REGISTERED WHITE VOTERS

COUNTY	TOTAL 1/66	% ELIG. REG.	COUNTY	TOTAL 1/66	% ELIG. Reg.
GWINNETT	21,181	87.2	MILLER	1,543	49.9
HABERSHAM	7,038	65.9	MITCHELL	5,330	88.0
HALL	15,524	55.9	MONROE	3,968	100+
HANCOCK	1,613	93.4	MONTGOMERY	2,403	95.4
HARALSON	7,222	84.3	MORGAN	1,579	46.2
HARRIS	3,461	100+	MURRAY	6,205	99.9
HART	6,344	85.9	MUSCOGEE	28,170	37.7
HEARD	3,010	100+	NEWTON	5,903	65.3
HENRY	7,870	100+	OCONEE	2,324	71.9
HOUSTON	8,030	45.3	OGLETHORPE	2,781	83.8
IRWIN	4,420	100+	PAULDING	7,709	100+
JACKSON	7,475	72.9	PEACH	2,696	73.9
JASPER	2,049	100+	PICKENS	5,896	100+
JEFF DAVIS	6,183	100+	PIERCE	4,265	96.2
JEFFERSON	4,524	91.6	PIKE	2,530	97.9
JENKINS	2,692	90.2	POLK	10,560	70.1
JOHNSON	3,227	93.4	PULASKI	3,043	100+
JONES	2,587	97.4	PUTNAM	2,383	100+
LAMAR	3,607	88.5	QUITMAN	798	100+
LANIER	1,800	83.4	RABUN	4,074	92.8
LAURENS	12,908	97.9	RANDOLPH	2,493	86.6
LEE	1,233	86.4	RICHMOND	34,298	55.9
LIBERTY	2,950	55.6	ROCKDALE	4,688	99.6
LINCOLN	2,438	100+	SCHLEY	896	93.2
LONG	2,222	100+	SCREVEN	3,542	77.7
LOWNDES	12,631	60.9	SEMINOLE	2,850	100+
LUMPKIN	4,346	96.6	SPALDING	10,444	62.7
McDUFFIE	7,808	100+	STEPHENS	9,352	93.8
McINTOSH	1,513	92.1	STEWART	1,753	100+
MACON	3,389	100+	SUMTER	7,645	98.9
MADISON	4,620	77.5	TALBOT	1,492	100+
MARION	1,520	100+	TALIAFERRO	957	100+
MERIWEATHER	5,055	77.2	TATNALL	6,416	86.9

REGISTERED WHITE VOTERS

COUNTY	TOTAL 1/66	% ELIG. REG.	COUNTY	TOTAL 1/66	% ELIG. REG.
TAYLOR	2,953	100+			
TELFAIR	4,219	85.4			
TERRELL	2,981	98.1			
THOMAS	8,472	64.3			
TIFT	7,256	71.1			
TOOMBS	7,341	97.7			
TOWNS	2,600	88.4			
TREUTLEN	2,643	100+			
TROUP	11,875	57.7			
TURNER	3,576	100+			
TWIGGS	1,713	86.9			
UNION	5,602	100+			
UPSON	6,442	57.7			
WALKER	24,976	94.2			
WALTON	6,719	71.5			
WARE	12,424	79.3			
WARREN	1,885	98.6			
WASHINGTON	5,311	98.8			
WAYNE	7,590	92.5			
WEBSTER	772	99.6			
WHEELER	2,137	95.6			
WHITE	4,427	100+			
WHITFIELD	19,161	78.4			
WILCOX	3,734	100+			
WILKES	3,814	100+			
WILKINSON	3,268	100+			
WORTH	5,893	100+			
TOTAL	1,295,755	72.1			

Southern Regional Council, Inc.
Voter Education Project

VOTER REGISTRATION
LOUISIANA

PARISH	Tot. Neg. Voters* 11/64	Tot. Neg. Voters** 2/62	Increase 2/62-11/64	Neg.Voting Age Pop. 1960 Census	% of Elig. Negroes Reg.	Tot. Reg. 1964	% Neg. of Tot. Reg. 1964	Tot. LBJ Vote	Tot. BG Vote	Tot.Neg. Voters Some More Cur.Fig. 12/65	Cur. Reg. Negroes as % of Voting Age Pop.++
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Acadia	3,580	3,740	-160	4,557	78.6	23,767	15.1	9,463	6,706	3,581	78.6
Allen	1,884	1,810	74	2,310	81.6	10,227	18.4	3,787	2,704	1,941	84.0
Ascension+	2,448	2,186	262	4,171	58.7	11,256	21.7	4,829	3,197	2,638	63.2
Assumption	1,933	1,969	-36	3,237	59.7	7,074	27.3	3,056	2,112	1,964	60.7
Avoyelles	1,756	1,794	-38	4,717	37.2	14,913	11.8	5,102	4,874	1,992	42.2
Beauregard	1,048	1,105	-57	2,145	48.9	8,984	11.7	3,049	3,349	1,062	49.5
Bienville+	584	464	20	4,077	14.3	3,591	16.3	855	3,740	1,609	39.5
Bossier	599	546	53	6,847	8.7	15,533	3.8	1,937	9,822	1,061	15.5

VOTER REGISTRATION LOUISIANA - 2

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Caddo+	4,954	4,463	491	41,749	11.9	67,316	7.4	10,158	42,197	8,315	19.9
Calcasieu	8,213	7,356	857	14,924	55.	55,131	14.9	23,285	17,046	8,746	58.6
Caldwell	361	109	252	1,161	31.1	4,147	8.7	609	2,534	343	29.5
Cameron	190	123	67	239	79.5	3,590	5.3	1,576	871	191	79.9
Catahoula	236	86	150	1,919	12.3	4,316	5.5	560	2,387	753	39.2
Claiborne	96	32	64	5,032	1.9	5,325	1.8	482	3,917	938	18.6
Concordia	563	427	136	4,582	12.3	6,068	9.3	809	4,022	1,199	26.2
De Soto	849	589	260	6,753	12.6	6,679	12.7	1,254	3,954	2,125	31.5
East Baton Rouge +	11,990	10,398	1,592	36,908	32.5	87,763	13.7	26,152	36,964	14,706	39.8
*** + East Carroll	136	0	136	4,183	3.3	2,075	6.6	263	1,486	2,698	64.5
East *** Feliciana +	182	82	100	6,081	2.9	2,908	6.3	486	1,900	2,180	35.8

VOTER REGISTRATION LOUISIANA - 3

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Evangeline	3,136	3,060	76	3,342	93.8	17,191	18.2	6,163	3,975	3,152	94.3
Franklin+	284	78	206	4,433	6.4	7,824	3.6	759	5,470	409	9.2
Grant	618	675	-57	1,553	39.8	6,584	9.4	1,454	3,292	662	42.6
Iberia	4,336	4,339	- 3	7,165	60.5	22,006	19.7	8,141	8,196	4,493	62.7
Iberville+	2,971	2,387	584	7,060	42.1	10,393	28.6	4,445	3,432	4,180	59.2
Jackson+	1,244	471	773	2,535	49.1	7,322	16.9	1,552	4,521	1,368	53.9
Jefferson	8,177	8,531	-354	14,970	54.6	94,607	8.6	31,804	37,161	9,159	61.8
Jefferson Davis	1,549	1,542	7	2,881	53.8	11,605	13.3	4,966	3,673	1,667	57.9
LaFayette	5,863	5,306	557	9,473	61.9	38,116	15.4	14,487	12,398	5,394	56.9
LaFourche	1,963	2,013	-50	3,078	63.8	26,751	7.3	12,045	6,164	2,118	68.8
LaSalle	272	175	97	849	32.	7,233	3.8	864	4,319	644	75.9
Lincoln+	1,314	665	649	5,723	22.9	8,251	15.9	1,714	5,766	1,508	26.3

VOTER REGISTRATION LOUISIANA - 4

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Livingston+	1,419	859	560	1,818	78.1	14,575	9.7	3,509	5,508	1,422	78.2
Madison+	294	0	294	5,181	5.7	2,761	10.6	417	2,061	2,193	42.3
Morehouse+	491	220	271	7,208	6.8	8,451	5.8	891	6,222	1,052	14.5
Natchitoches	1,983	1,801	182	7,444	26.6	11,726	16.9	2,975	5,525	4,112	55.2
Orleans+	35,736	36,372	-636	125,752	28.4	197,951	18.1	82,045	81,049	49,389	39.3
*** Ouachita+	1,744	874	870	16,377	10.6	31,331	5.6	4,174	21,024	7.789	47.6
*** Plaquemines	96	44	52	2,897	3.3	7,723	1.2	775	4,904	1,298	44.8
Pointe Coupee+	1,515	1,135	380	5,273	28.7	5,899	25.7	2,247	2,327	2,875	54.5
Rapides	3,792	2,995	797	18,141	20.9	36,248	10.5	9,992	18,122	4,470	24.6
Red River	96	30	66	2,181	5.3	3,626	2.6	334	2,235	892	40.9
Richland+	381	175	206	4,608	8.3	6,069	6.3	747	4,498	559	12.1
Sabine	1,366	1,448	-82	2,143	63.7	10,101	13.5	2,081	4,165	1,425	66.4

VOTER REGISTRATION LOUISIANA - 5

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
St.Bernard	682	226	456	1,105	61.7	19,107	3.6	6,175	8,055	700	63.3
St. Charles	2,342	1,939	403	2,621	89.4	10,301	22.7	5,085	2,715	2,304	87.9
St. Helena+	560	167	393	2,082	26.9	2,619	21.4	706	1,319	1,457	69.9
St. James	2,537	2,475	62	3,964	64.	7,148	35.5	4,214	1,467	2,700	68.1
St. John The Baptist	3,009	2,925	84	4,279	70.3	7,484	40.3	3,958	1,694	2,981	69.6
St. Landry	10,325	10,874	-549	14,982	68.9	32,456	31.8	11,807	10,920	10,285	68.6
St. Martin	3,182	2,781	401	4,664	68.2	12,579	25.3	4,675	2,793	3,176	68.1
St. Mary	3,214	2,753	461	7,176	44.8	17,996	17.9	7,327	5,530	3,860	53.8
St. Tammany+	2,807	2,537	270	5,038	55.7	21,157	13.3	6,694	7,883	2,664	52.9
Tangipattoa+	3,247	3,121	126	9,401	34.5	23,165	14.	7,169	9,732	4,182	44.5
Tensas+	60	0	60	3,533	1.7	2,214	2.7	192	1,655	686	19.4

VOTER REGISTRATION LOUISIANA - 6

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Terrebonne	1,645	1,725	-80	5,464	30.1	20,777	7.9	8,577	6,729	2,385	43.6
Union+	864	601	263	3,006	28.7	7,398	11.7	1,155	4,534	982	32.7
Vermilion	2,183	2,104	79	2,429	89.9	21,155	10.3	9,204	4,984	2,270	93.5
Vernon	684	607	77	1,268	53.9	10,655	6.4	3,564	3,696	694	54.7
Washington+	1,634	1,701	-67	6,821	23.9	17,429	9.4	4,825	7,438	3,167	46.4
Webster	803	96	707	7,045	11.4	12,805	6.3	1,755	8,177	2,864	40.7
West Baton Rouge+	1,245	1,003	242	3,502	35.6	4,887	25.5	1,892	1,835	1,708	48.7
West Carroll	76	23	53	1,389	5.5	4,154	1.8	395	3,017	132	9.5
West Feliciana+***	85	0	85	4,553	1.9	1,430	5.9	223	897	1,790	39.3
Winn	1,175	1,118	57	2,590	45.4	6,122	19.2	1,193	4,366	1,246	48.1
Totals	164,601	151,250	13,351	514,589	31.9	1,201,785	13.7	387,068	509,225	222,505	43.2

* Official. Louisiana Secretary of State, 10/3/64.
** Official. Louisiana Secretary of State 2/28/62.

++ includes voters listed by federal examiners

\+ Parishes which had VEP activity.
*** Parishes designated for Federal examiners.

REGISTERED WHITE VOTERS

PARISH	TOTAL 12/65*	% ELIG. REG.
ACADIA	20,081 (9/65)	89.7
ALLEN	8,174	97.8
ASCENSION	8,993	88.9
ASSUMPTION	5,190	88.2
AVOYELLES	13,202	83.3
BEAUREGARD	8,755	100+
BIENVILLE	4,988	88.8
BOSSIER	15,089	63.7
CADDO	58,899	67.1
CALCASIEU	47,481	75.4
CALDWELL	3,830	99.7
CAMERON	3,382	92.9
CATAHOULA	4,113	100+
CLAIBORNE	5,228	81.5
CONCORDIA	5,646	94.7
DE SOTO	5,761	86.0
E. BATON ROUGE	76,701	87.2
E. CARROLL	2,354	78.7
E. FELICIANA	3,022	42.9
EVANGELINE	13,593 (9/65)	99.6
FRANKLIN	7,559 (9/65)	84.4
GRANT	5,921	97.4
IBERIA	17,717	87.7
IBERVILLE	7,550	86.5
JACKSON	6,060	91.7
JEFFERSON	88,609	90.3
JEFF DAVIS	10,246	79.5
LAFAYETTE	31,762	89.4
LAFOURCHE	24,795	96.3
LA SALLE	6,988	100+
LINCOLN	7,161	74.5
LIVINGSTON	13,340	100+
MADISON	2,651	79.5
MOREHOUSE	7,991	77.5
NATCHITOCHES	9,980	88.1
ORLEANS	158,979	61.7
OUACHITA	30,182	75.1
PLAQUEMINES	9,705	100+
POINTE COUPEE	4,588	75.4
RAPIDES	34,975	78.0
RED RIVER	3,548	100+
RICHLAND	5,794	76.2
SABINE	8,943	100+
ST. BERNARD	18,487	100+
ST. CHARLES	7,685	94.7
ST. HELENA	2,187	92.6
ST. JAMES	4,610	94.2
ST. JOHN THE BAPTIST	4,439	89.1
ST. LANDRY	22,209	86.9
ST. MARTIN	9,536	97.5
ST. MARY	14,849	82.5
ST. TAMMANY	16,746	100+
TANGIPAHOA	20,114	90.2
TENSAS	2,197	96.1
TERREBONNE	19,200	78.7
UNION	6,455	91.9
VERMILLION	19,245	97.6
VERNON	10,029	100+
WASHINGTON	15,688	93.4
WEBSTER	10,630	67.7
W. BATON ROUGE	3,712	93.4
W. CARROLL	4,343	70.4
W. FELICIANA	768	27.3
WINN	6,892	100+
TOTAL	1,021,547	79.2

* Includes persons added by federal examiners through 3/19/66.

Labor Men File For Seats On City Council

Durham Labor Jnl. 4/25/57

Two members of organized labor are among the candidates for seats on the Durham City Council.

Charles J. Wiesner, a member of Machinist Local 721 and an employe of Liggett and Myers Tobacco Company, filed as a candidate for one of the at-large seats.

Weisnei, a native of Durham and a graduate of Lowes Grove High School, is the son of Mrs. W. H. Weisner and the late Mr. Wiesner of Lowes Grove. He is married to the former Jewel Parrot of Gastonia. They have one child and reside at 1131 eventh Ave. in Wellons Village.

WEISNER

He holds the rank of Major in the Civil Air Patrol and is presently serving as Commander of the Durham Unit of the CAP. His duties include being rescue officer in charge of operations for the State CAP organizations.

A veteran of two years overseas service, Wiesner is a member of the Advisory Council for Civil Defense here, and is a member of the Ground Observer Corp. He is chairman of the local American Red Cross first air committee, and is an active first aid instructor.

L. A. Dowdy, a member and former president of Durham Typographical Union No. 125, is a lifelong resident of Durham. He has been a printer on the Morning Herald for the past 24 years and is at present serving as foreman of the Herald composing room.

He is married to the former Nell Sue Branch of Alamance County. They have two teenage daughters. In announcing Dowdy said, "I make no promise except that if I am elected, I will do my best to serve all the citizens of Durham as one who is proud to live here." Dowdy filed for the first ward seat now

DOWDY

being held by Floyd Fletcher.

Other late candidates include three young men who have been active in the civic life of the community in recent years.

Charles L. Steel, manager of the Steel Music Company and a graduate of Duke University, filed as a Candidate-at-large.

A major in the Marine Corps Reserve, Steel won the Presidential Citation while serving with the 5th Marine Division on Iwo

See LABOR MEN FILE On Page 9

THE
RIGHT TO WORK
NATIONAL NEWSLETTER

Published by the NATIONAL RIGHT TO WORK COMMITTEE
1025 Connecticut Avenue, Washington 6, D.C.

Vol. IV, No. 1 January, 1958

Right To Work The "Big Issue" In 1958

While the Space Age projects still predominate the news headlines action on the Right to Work issue is rapidly spreading at the State level. Not only are battles shaping up through previously organized groups, but new groups have been formed for action this year and others are under consideration. Our information at Press time on the present State activity for 1958 follows:

CALIFORNIA—In a surprise movement an initiative right to work measure was filed with the Attorney General of California on January 8. The measure, filed by an employee group known as the Citizens Committee for Democracy in Labor Unions, would provide that "All men should be free to elect voluntarily whether or not to join a labor organization," and will be submitted to the voters at the November elections if qualified. The signatures of 322,429 registered voters will be required to qualify the measure.

Reports show that Howard Wyatt, a member of Local 626 of the Teamsters Union, is Executive Secretary of the Committee. According to Wyatt, the Committee was organized last year by union members who have become disgusted and aroused by the extent of corruption existing within the union movement. Wyatt emphasized that the measure his committee seeks is not "anti-labor" or "anti-union". As proof of his statement he quoted from the proposed measure: "Nothing in this section shall be construed to deny the right of an employee to be represented in collective bargaining by a labor organization."

Present address of the Committee is listed as P.O. Box 32055, Los Angeles 32, California. Wyatt says that as soon as sufficient funds are available an office will be opened.

The Citizen's Committee for Voluntary Unionism, 609 South Grand Avenue, Los Angeles 17, has been working toward such an initiative for some time. Leonard D. Keefer, Executive Secretary for that Committee stated that the proposal of the employee group is in line with the thinking of his Committee and added, "We'll urge everybody to get out a favorable vote."

COLORADO—Following a series of meetings of interested groups a Right to Work Committee has been incorporated and is under way in Colorado. All necessary papers have been filed with the State Government, setting up the State Committee and the initiative measure to be presented for a vote in the November election.

"Americans Must Have the Right, but not Be Compelled to Join Labor Unions"

The headquarters office has been opened in Denver from which petitions are to be distributed and a full-time educational program carried on across the state. County groups will be formed as the program progresses.

Interested Colorado citizens are requested to contact the Colorado Right to Work Committee, 1724 Stout Street, Denver, Colorado.

IDAHO— Needing only 23,000 petition signatures to place an initiative on the ballot in the November election there is little doubt that citizens will have an opportunity to decide the right to work issue in Idaho. The Idaho Freedom to Work Committee plans to procure 200,000 signatures, not only assuring that the issue will be voted on, but impressing all concerned with the number favoring such legislation.

Indicating the general interest, such organizations as the Idaho Branch of the Associated General Contractors; Idaho Wool Growers Association; Mountain Rock Grange; Pomona Grange; Idaho State Grange and the Idaho Farm Bureau Federation have passed resolutions supporting right to work.

Address inquiries to Mr. Fred Smith, Executive Secretary, Idaho Freedom to Work Committee, Inc., 415 Idaho Building, Boise, Idaho.

KANSAS— With the right to work initiative already set for appearance on the ballot in the November election, the Kansas Committee is busy with a campaign of arousing the interest of the voters.

This operation requires the distribution of materials outlining the evils of compulsion on a broad scale, involving considerable expense in printing as well as handling and mailing costs. The scope of the work will be governed by the degree of response to appeals for support.

Those desiring to augment this program should contact Kansans for the Right to Work, Box 3038, S.E. Station, Wichita, Kansas.

KENTUCKY—Assurance that a full scale right to work campaign will be made in Kentucky is given in the announcement of the formation of a new committee under the name Kentuckians For Right-To-Work, Inc. Address of the group is 250 Marion E. Taylor Building, Louisville 2, Kentucky.

An eleven man board of directors listed in the articles of incorporation includes business, farm and labor representatives from nine Kentucky communities. A Shelby County farmer, Winford Thomas, was elected as president by directors of the Committee at a meeting in Louisville.

A Kentucky Labor Committee for Right-To-Work was previously organized and reported in our October-November Newsletter. The two groups will cooperate though functioning separately.

LOUISIANA—Passage of right to work legislation in Louisiana during 1958 is predicted by State Senator Jackson B. Davis of Shreveport.

Davis said he will introduce the right to work bill as soon as the Legislature convenes. He said he will introduce two measures, one a simple bill and the other a constitutional amendment requiring a vote of the people.

A right to work law, passed in the 1954 Legislature, was repealed during the 1956 sessions. The Legislators passed a similar law applying to agricultural workers only during the same session.

MONTANA—Further confirming the spirit of freedom of the West a new Right to Work movement has been organized in Montana. Incorporation papers filed with the Secretary of State lists the group under the name of the Equal Opportunity League, Inc., with headquarters in Billings.

Officers named by the directors are Carl Smith, Olive, President; Keith Williams, Bozeman, Vice President; and Dayton Persons, Billings, Sec'ty-Treas. Headquarters offices are to be set up in Billings under full time supervision of Mr. Persons. For the present all inquiries should be addressed to the Equal Opportunity League, Inc., P.O. Box 348, Billings, Montana.

An initiative measure has been prepared to be placed on the ballot in the November elections upon the securing of qualifying petitions. The petitions will be circulated by volunteer groups set up in the various counties. A broad program of distribution of educational materials is planned by the headquarters office.

OHIO—With the proposed right to work amendment now filed and approved by the Attorney General and Secretary of State the petition campaign in Ohio is ready to move forward rapidly.

The amendment was approved by Attorney General William Saxbe on January 13 and filed with the Secretary of State, Ted W. Brown on January 17 for preparation of petitions. The petitions have now been turned over to the printers and are to be ready for delivery on February 6.

Both the Ohio Labor Committee for Right to Work and the Ohioans for Right to Work are prepared to go into action immediately to obtain the 354,210 signatures necessary to place the issue on the November ballot.

WASHINGTON—Undaunted by the approximately 2 to 1 loss in the referendum of 1956, a new Right to Work Committee has been formed in Washington and a right to work initiative measure filed to place the right to work issue on the ballot in the November elections.

The 1956 right to work measure, Initiative 198, received a total vote of 329,653. Signatures of 90,319 voters will be required to qualify the new measure, Initiative 202.

Response from local groups which were active in the 1956 campaign is very encouraging. As added encouragement, the Fifth Congressional District Republican Club passed a resolution favoring voluntary union membership at a meeting on January 4, 1958 in Spokane.

Those desiring to assist may contact the Committee by writing Mr. Ashley E. Holden, Executive Director, Citizens' Committee for Voluntary Unionism, 306 Second and University Building, Seattle 1, Washington.

* * *

RIGHT TO WORK AD CAMPAIGN UNDER WAY ACROSS NATION

Nearly seventy-five newspapers are preparing to carry the National Right to Work Committee ad. This is the new square ad measuring three columns wide by eight inches in depth, titled "FORCED UNION MEMBERSHIP . . . Steals Your Freedom!" While virtually all of the states are represented in the long list of newspapers running the ad there is more activity in the areas which do not have Right to Work laws.

The greatest concentration of the ads will appear in the heavily populated urban belts away from the city centers. These belts run across the Middle Atlantic States, through the Great Lakes region, down the Mississippi river valley and into the Southwest. Among the states in the South and Southwest where the ad campaign is receiving encouraging support are Kansas, Oklahoma, Arkansas, Louisiana and New Mexico.

Response has been coming in more slowly from the Pacific Coastal states. It is perhaps, too early to give a fair picture of the support of the ad program. Requests for the mats are still coming in from members and newspapers as a result of the general letter on the campaign sent out on January 15, 1958. Western state requests have just begun to come in and increased activity in the campaign is expected from there shortly.

Hometown America is well represented in the requests and in the return of ad coupons clipped from the daily papers where the ad has already run. Returns on hand from Bridgeport, Connecticut; Memphis, Tennessee; and New Orleans are high on the list of tallies showing popular public support and sympathy for the Right to Work principle.

Continued enthusiastic support is desired and needed on this project. This preview of what is believed to be an impressive result in the ad campaign should not lull anyone into feeling that the job has been successfully concluded. It is hoped that with the support of the membership a full success story may be told in a later edition.

* * *

NEW PUBLICATIONS ON THE RIGHT TO WORK ISSUE

"LABOR UNION MONOPOLY, A CLEAR AND PRESENT DANGER," by Donald R. Richberg, 180 pages, is offered in bookstores at $3.50 per copy. Now, however, arrangements have been made by the Constitution and Free Enterprise Foundation, Inc., for mass distribution at a low price in a paper-bound edition.

Mr. Richberg, a member of the Advisory Board of the National Right to Work Committee, has earned a position of esteem as a lifetime fighter for the legitimate rights of labor. But now, after twenty years, he shows how the labor movement has been misused by the labor bosses, in cooperation with a compliant government, to establish a dictatorial power over the American economy and to further socialistic objectives.

Copies may be obtained from the Constitution and Free Enterprise Foundation, Inc., 210 East 43rd Street, New York 17, New York. Single copies, $1; 2 to 25 copies, 90¢ each; 40 to 90 copies, 85¢ each; 100 to 600 copies, 80¢ each; 1,000 or more copies, 75¢ each.

* * *

"VOLUNTARY UNIONISM FOR FREE AMERICANS," a 32 page pamphlet by Rev. John E. Coogan, S.J., Chairman, Department of Sociology, University of Detroit, published by the National Right to Work Committee, is just off the press.

In addition to outlining the clear moral obligation of society to support the precept of individual freedom of choice, Father Coogan concisely and forcefully brings to light the many evils of compulsory unionism.

Copies may be obtained by writing the National Right to Work Committee at 1025 Connecticut Avenue, N.W., Washington 6, D.C. Single copies, Free; 5 copies, $1; 25 copies, $4; 100 copies, $15.

Union Unity Works Out

Three short years of unity have shown that "there is no worthy goal that is beyond the power of the members of organized labor in the United States," IAM Vice President Elmer Walker declared this week.

THE 13,500,000 members of AFL-CIO affiliated unions have become more effective politically, have cut down wasteful raiding, and have made a good start toward cleaning up the small amount of union corruption, he told delegates to the second annual convention of IAM District 146 at Dallas, Tex. Mr. Walker delivered the keynote address to union employees of Braniff Airways, Trans Texas Airways, Slick Airways and Central Airline.

Here are some excerpts from Mr. Walker's speech:

ON LEGISLATION—"There is no doubt that unity has strengthened the effectiveness of labor in its legislative and political activities.

"Where there used to be a number of alleged labor spokesmen, often talking at cross purposes, there is now a unified voice. This unity of purpose and voice had a large part to play in blocking restrictive labor legislation during the recent Congress and in winning such victories as higher social security benefits."

ON RAIDS—"The most tangible and one of the most important results of merger has been a marked decrease in inter-union raiding.

"Four years ago when the AFL and CIO were exploring the possibilities of merger, the Joint Unity Committee did a survey on the record of raiding for the years 1951-1953.

"The Committee found that over that three-year period affiliates of the then separate federations spent nearly $12,000,000 in raiding each other's membership. That figures out to $4,000,000 a year—$4,000,000 that could and should have been used for constructive activities.

"Merger has done much to cut down this shameful and harmful waste of membership's dues. Just about a month ago President (George) Meany of the AFL-CIO released some comparative figures.

"They showed that the number of employees in the raided bargaining units in 1957 was only 7 per cent of the 1953 total."

ON CLEAN-UP—"The membership of the AFL-CIO was cut markedly by the expulsion of the Teamsters, the Bakers, and the Laundry Workers at the 1957 convention. The total loss amounted to some 1,600,000 members with the Teamsters accounting for the greater part.

"The Federation's willingness to sacrifice . . . membership for principle marks it as unique among American institutions."

Chapman Speaks On Automation

IAM Grand Lodge Rep. Lee Chapman explained the IAM's views on automation to 29 vocational education instructors recently. Chapman spoke at the University of Illinois at Bloomington where he and Dr. Herbert Northrup, General Electric Co. consultant, led a panel discussion on "Automation."

ANKERS PHOTO

Retiring IAM Vice President Earl Melton, l, Mrs. Melton, General Secretary-Treasurer Eric Peterson and President Al Hayes enjoy a hearty laugh during Mr. Melton's Washington, D. C., retirement dinner. The pocketbook and other gifts were presented to the Meltons by the dinner guests.

Earl Melton Retires, Served for 45 Years

IAM Vice President Earl Melton of Chicago retired this week after more than 45 years as an active IAM member, representative and officer.

His friends, both at Washington, D. C., and Chicago, honored Mr. Melton and his wife, "Susie," with testimonial dinners and gifts designed to make their new leisure more enjoyable.

AT WASHINGTON, fellow members of the IAM Executive Council helped fete the Meltons at a party that featured tributes by both IAM President Al Hayes and General Secretary-Treasurer Eric Peterson.

At Chicago, IAM District 8 and the Railroad Machinists' General Chairmen's Association planned a dinner dance in honor of the Meltons.

Mr. Melton, back in good health after undergoing operations for removal of cataracts earlier this year, announced that he and his wife plan to devote some of their new leisure to an extended vacation trip around the country.

THE IAM vice president's retirement, on Oct. 8, his 65th birthday, is in accordance with the IAM Constitution which requires that all persons covered by the Grand Lodge pension plan must retire at age 65.

Born Oct. 8, 1893, on a farm near Binnsville, Miss., and educated in the public schools of Meridian, Miss., Earl Melton became a boomer machinist after completing his apprenticeship on the Mobile and Ohio Railroad in 1914.

He traveled through much of the West, working in steel plants and copper mines, as well as on the railroads. During World War I, he worked at the Naval Gun Factory, Washington, D. C., returning to Meridian after the war as shop committee member and financial secretary of IAM Lodge 312 and, later, as executive board member of IAM District 4.

MR. MELTON'S Grand Lodge service dates back to 1929 when he was first appointed a Grand Lodge representative. He has been a general vice president since 1940, serving in the Great Lakes territory until 1945 and in the Southern territory until 1949.

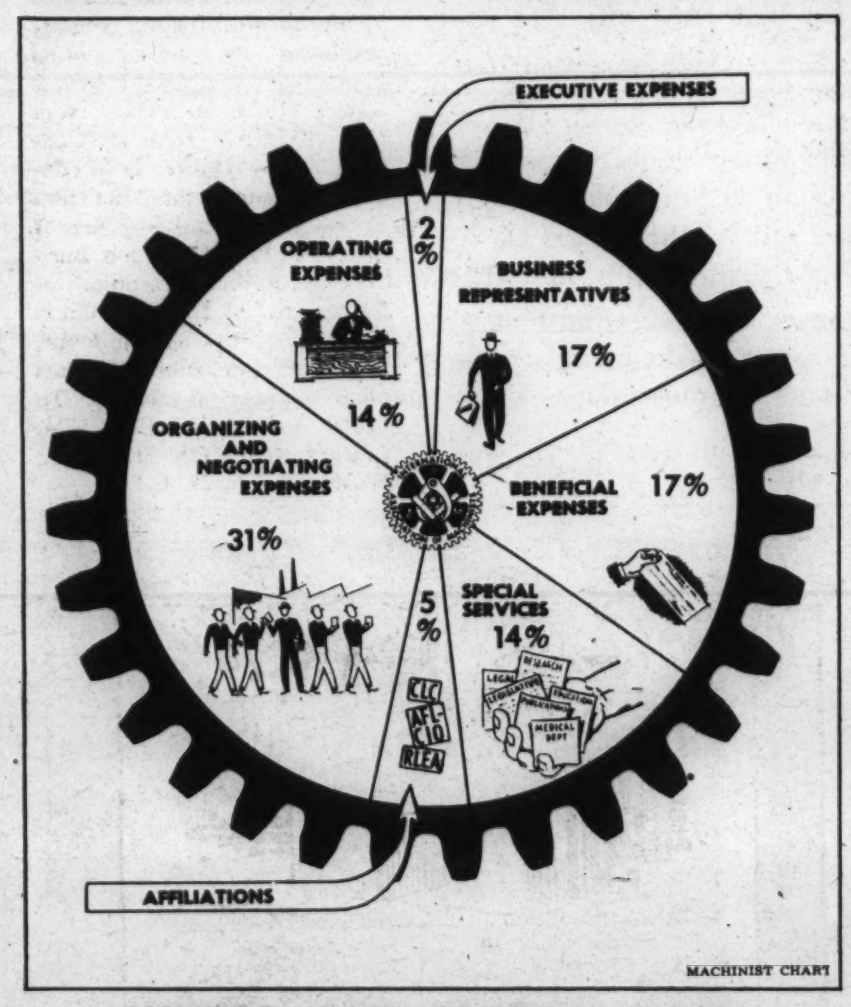
During the past nine years, as vice president assigned to the railroads, Mr. Melton has played an active role in negotiations for the 40-hour week, wage increases, the union shop and a health and welfare program for railroad employees and their dependents. During this period, Mr. Melton represented the IAM on the Railway Labor Executives' Association and on the executive council of the Railway Employees Department, AFL-CIO.

LAST MONTH, Mr. Melton met with representatives of 17 other non-operating railroad unions to prepare for upcoming negotiations with the railroad industry on improvement of working rules.

Mr. Melton's duties in this field and on the IAM Executive Council will now be taken over by Joseph W. Ramsey, who was elected general vice president last August.

IAM Shop Card Up at Bellingham

Al's Signal Service at Bellingham, Wash., has posted an IAM shop card to let customers know that IAM members do their work, W. Y. Armstrong, business representative Lodge 239, reports.



MACHINIST CHART

WHERE OUR MONEY GOES

For 50 years Grand Lodge has been reporting regularly to IAM members where our money goes. Each month the General Secretary-Treasurer has sent financial reports to all lodge recording secretaries. The chart above was taken from the July report just issued. The chart shows that the heaviest expense, 31 per cent that month, was incurred to help employees improve wages and working conditions through organization and negotiation. Benefits paid directly to members (mostly strike benefits and death benefits) accounted for 17 per cent. Services to members and lodges, like those of the Research, Education, and Medical Departments, and publications including THE MACHINIST took another 17 per cent.

Iowans Bone up on Arbitration

More than 30 IAM members learned IAM policies and practices on arbitration of grievances at a recent school at Des Moines, Iowa, Clarence F. Dunn, recording secretary of Lodge 831, Cedar Rapids, reports.

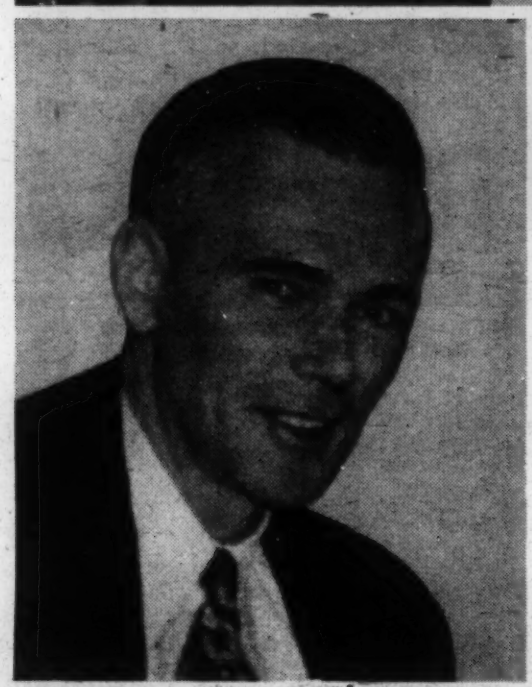
CHARLES R. ASK, vice president and education chairman of the Iowa State Council of Machinists, arranged the program with the help of John Brumm, IAM education director.

The movies, "Arbitration in Action" and "The Grievance," were shown, and after each movie Grand Lodge Reps. Tom Hansen and Floyd Smith answered question. Jack Flagler, from the University of Iowa, spoke on "An Arbitrator Views Union Practices in Arbitration."

MACHINIST PHOTO

IAM's 10th IN NOVA SCOTIA

IAM Special Rep. A. J. Doucet (second from right) presents charter to Donald Campbell, IAM Lodge 1667 president. The Lodge represents machinists employed at Point Edward Naval Base, Sydney, N. S. It's the tenth IAM lodge in Nova Scotia. Looking on are, l to r, Murray MacKay, past president; Campbell; Norris Aitkens, secretary-treasurer; Donald MacSween, recording secretary; Doucet; and Clarence MacInnis, Sydney Steelworkers secretary and guest speaker. MacKay was elected past president because he was president of the former IAM Point Edward Lodge four years ago.



Candidates Alexander Kosty for the State Senate and Francis Hogan for Congress from the Elmira area discuss unemployment and other campaign issues with IAM members. L to r, Peter Paciorek, president of both IAM District 58, Elmira and Lodge 826 at the big Remington Rand plant; Kosty; Hogan; Lester Elliott, shop committee chairman of Lodge 826 and vice president of the New York State Council of Machinists; and John Robinson, secretary-treasurer of District 58. At left is the IAM's own Justin J. Donahue, business representative for District 58, who is a candidate for State Assemblyman from Chemung County in which Elmira is located.

Task of checking names of all union
those not yet registered is arduous. Seated,
Hooey, Rita Loomis and Mary Levanduski
Harold Ferraro, both of Lodge 826; and
The Volunteers put the names and address
and election district of each. Only then c
Finally, phone num

CITIZENSHIP CAMPAIGN

Hard Work Goes in

Register-to-Vote C

Car pools to transport union members to the registration place are lined up over the telephone by, l to r, Rita Loomis and Fern Barrett. A similar system will be used to help get union members to the polls Election Day.

ARE YOU REGISTERED TO VOTE? That's the big question that IAM members in New York State are asking this week. With the final day for registration set for Oct. 11, the Empire State members are shooting to get every possible employee registered—together with his wife and any other voting-age members of the family. The lodges are following an intricate blueprint for a citizenship campaign worked out by the New York State Council of Machinists in cooperation with the Machinists Non-Partisan Political League. The good citizenship plan calls for checking the name of every union member against registration lists. Then, for those members found to be not yet registered, there is an int
them to regist

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at Elmira whe

Personal calls to union members whom the checkup shows have not yet registered is a key phase in the Elmira citizenship campaign. L to r, Harold Ferraro, Ruth Hooey, and Mary Levanduski. Members are urged to see that others in their families register as well. More than 3,000 phone calls have been made so far this fall.

Reminders in the mail follow up telephone calls. L to r, Ho
lopes. So far the campaign volunteers have checked on the regis
that 75 per cent of the union members in Elmira are now register

members in the Elmira area against registration lists to determine
l to r, Dolores Cornell, Helen Van Derpoel, Fern Barrett, Ruth
all of IAM Lodge 826. Standing, l to r, Otto Halliday and
Willard Hooey and Howard Biggs of the Ironworkers Union.
s of all union members on cards. Then they looked up the ward
uld they check the names against the list of those registered.
ers of those registered were looked up.

to Elmira's ampaign

ensive follow-up by phone and mail to urge
r and vote Nov. 4.

on these pages show the activity at Elmira
rs from IAM District 58 have been working
th members of other unions in an attempt
cord registration in the area. Lester Elliott,
e chairman of IAM Lodge 826 at the big
nd plant and a vice president of the New
uncil of Machinists, reports that volunteers
on the registration drive even during their
attempt to cover all union members in the
headquarters are in the Machinist Building
e these photos were taken.

ard Biggs, Dolores Cornell and Helen Van Derpoel address enve-
tration status of more than 7,000 union members. It's estimated
ed and eligible to go to their polling places to vote on Nov. 4.

HOBBY CORNER

Junior's Piggy Bank May Hide Coin Find

COIN COLLECTING families have found it useful to keep an eye on Junior's piggy bank when he transfers his pennies, nickels, dimes and quarters to the savings account. Occasionally a sought-after coin has turned up which is worth more than its denomination.

Numismatists will tell you that a Lincoln penny of 1909 with the legend S-VDB might be worth $40 and more if it's in top condition. Only 484,000 such pennies were made. The VDB stands for Victor D. Brenner who designed the coin. S stands for San Francisco mint which started striking coins in 1854.

The San Francisco mint is one of three U. S. mints still in operation. The other two are at Denver, designated by a D on coins, which started operating in 1906, and at Philadelphia, established in 1793 and recognized by a P. Other mints operated at various places and various times, but for limited periods only.

Here are news from IAM collectors who wish to trade, buy or sell coins:

Howard D. Loy, IAM Lodge 828, 131 Paxton Ave., Elm Grove, W. Va.: Will pay five cents for any Indian Head cent with legible date and legend.

Pearl E. Czech, IAM Lodge 1893, 9218 E. Broadway, Temple City, Calif.: Wanted 1909-VDB, 1909, 1909-SVDB, 1909-S Lincoln pennies, also old silver dollars, and proof sets. Other coins bought, state condition and price.

R. E. Schneider, IAM Lodge 2192, 4215 54th St., San Diego 15, Calif.: Wanted, 1914-D Lincoln penny to complete collection. Send postcard stating condition and price.

F. A. Gorny, IAM Lodge 113, 4730 W. Superior St., Chicago 44, Ill.: Will sell only to IAM members collection of about 1,100 coins at reasonable prices. Include Lincoln, Indian Head pennies, 1900 to 1939, all mints, Mercury and Barber dimes 1886 to 1935 all mints, also quarters 1883 to 1936, all mints.

A. F. Gransie, IAM Lodge 1933, 5018 E. 17th St., Tucson, Ariz.: For sale or exchange for American coins, approximately 400 foreign coins, representing about 50 foreign cities and countries, all different denominations, mostly of bronze, copper and silver, also foreign paper money and 19th and 20th century coins of the *World* books.

Mrs. Eva Orsini, IAM Lodge 350, 152 Standish St., Hartford, Conn.: For sale Indian Head pennies 1862, 1863, 1865, 1881, 1890, 1892, 1899, 1901, 1907. Flying Eagle pennies 1857, 1868. Large pennies 1852, 1844, 2-cent pieces 1864, 1865, 1868, 20-cent piece 1877, Columbia Exposition half dollar 1893.

Edward Krauss, IAM Lodge 295, 88-40 242 St., Bellerose 26, N. Y.: Wanted Morgan dimes 1892 to 1900 all mints, 1900 to 1909 in S mints, Lincoln pennies 1909 to 1927 in S mints.

Le Roy J. Knettle, IAM Lodge 175, 619 W. Locust Street, York, Pa.: Old coins bought and sold. Send your want or sale list.

Donald Priest, IAM Lodge 409, 41 Main, Fairfield, Me.: Would like to exchange American coins for Canadian, or will buy. Would like to hear from Canadian collectors.

William N. Landry, IAM Lodge 702, 1893 N.W. 17th Street, Miami, Fla.: Am trying to complete my collection in Liberty Head and Buffalo nickels. Write giving condition and price in first letter.

Anthony De Paolo, IAM Lodge 442, 302-B Monterey St., China Lake, Calif.: For sale Lincoln pennies in very good condition 1950 S-D, 1952-D, 1953-S-D, 1954-D-(8), 1954-S, 1955-(6) D and (12) 1955-S, 1956-(3) D, 1957-(5) D, 1958-(4) D. Or will swap for Washington quarters 1932 S and D.

George H. Smith, IAM Lodge, 1987, R.F.D. 32-C, Central Islip, N. Y.: I need all scarce dated Lincoln and Indian Head pennies, have unc. Lincoln cents to sell. I buy, sell and trade all coins.

Albert J. Lemire, IAM Lodge 1606, 462 Dexter St., Central Falls, R. I.: Have several U. S. and foreign coins which I will sell or trade for certain Lincoln pennies, 1827 half dollar, 1912 V nickel, 1915 Indian nickel, Indian cents 1897, 1907, dimes 1917, 1923 S, French 5-francs 1829 L, Belgian 1873 and many others.

Daniel Mullin, IAM Lodge 1092, 328 So. 5th St., Perkasie, Pa.: For sale 25 different S-mint pennies, 1916 to 1950 $2.50, 25 different D-mint pennies 1916 to 1950, $2.50.

Alexander Kaptik, IAM Lodge 159, Box 4612, Blvd. Sta., Philadelphia 49, Pa.: I hold office in the Middle Atlantic Numismatic Association of Washington, D. C. Have been studying numismatics for 17 years and would be willing to answer any question on this question. Send stamped, self-addressed envelope, but no coins, please.

Joseph Naporkowski, IAM Lodge 447, 963 E 217th, Bronx 69, N. Y.: Am trying to complete my collection of Indian pennies, also 1922 plain, Buffalo nickel, Mercury dime, Standing quarter, also 1932 D and S, and Standing half dollar. Send list, condition and price.

W. R. Myers, IAM Lodge 243, R.D. 5, York, Pa.: Highest prices paid for Indian Head pennies or any U. S. coins before 1850, also Lincoln pennies 1909 S.V.B.D. 14D 31S and 1909 through 1919 S mint pennies. State condition and price in first letter.

Robert Sablotni, IAM Lodge 742, 5602 So. Sawyer Ave., Chicago 29, Ill.: For sale Indian Head and and Lincoln pennies, good to fine condition, most dates, reasonable. Send want lists.

J. A. Brownmiller, IAM Lodge 1841, 523 Franklin St., Hamburg, Pa.: Received large shipment of 1959 edition of best book on U. S. coins *The Guide Book on U. S. Coins*. Send $2 and book will be sent postpaid and insured. Have brilliant proof sets for sale, 1954 $6, 1956 $3.50, 1957 $3.25. Add 25 cents for orders under $10.

E. A. Rhomberg, IAM Lodge 113, 3723 Cullom Ave., Chicago 18, Ill.: For sale extra fine 1828 50¢ curled (2), fine 1953, rays, 50¢ PCS, good 1917-S, 18-S, 20-D, 21-S 50¢, V.G. 1926-27-28-29-30-S and P 25¢, fine half dime 1853-54-55-57-58, V.G. 2¢ 1864-65-66-67-68-69, uncirculated 1955-S cent and dime.

Andre E. Bakalar, IAM Lodge 584, 2024 W 98th St., Cleveland 2, O.: Have 50 Liberty head nickels dated from 1900 to 1912. Will trade all for 1885 or 1886 or a 1912 S. Need Indian Head cent, 1866, will pay $3; 1872, will pay $1.50, and 1877, will pay $10 and 1909 S will pay $5.

Harry Van den Bosch, IAM Lodge 404, 2222 Oakhill Ave., Youngstown, O.: Have early American coins, Lincoln cents, Indian Head pennies, Mercury dimes, Roosevelt dimes, Jefferson nickels, etc., also wide selection of foreign coins. Send your want lists.

Neil Aiello, IAM Lodge 797, 2548 Seymour Ave., Bronx 69, N. Y.: Disposing of my entire collection of both circulated and uncirculated U.S. and foreign coins. Will send list upon recept of self-addressed, stamped envelope.

C. R. Oaks, IAM Lodge 1187, 346 Oak St., Jersey Shore, Pa.: For sale or trade Lincoln cents 1928-S, 1926-S, and 1955-S, I need 1909-S, 1911 S-D, 1912-S, 1914-S, 1915-S, 1922-D, 1924-D and 1931-S.

Lester Bertler, IAM Lodge 609, 335 Orange St., New Haven 11, Conn.: For sale or trade, Indian Head cents 1900 through 1909, Liberty Head nickels 1900 through 1912, Italian 2-centesimi 1867, Columbian half dollar 1893, silver dollars 1882-P and 1882-O, 1887-P, 1892-P, 1894-O, 1896-P, 1903-P, all in extremely fine condition.

THE MACHINIST publishes this column periodically as a service to IAM coin collectors. Notices appear in order received as space permits. Print or type the wording you want, limiting yourself to 50 words or less, including name, lodge number and complete address. Send to Hobby Corner, 909 Machinist Bldg., Washington 6, D. C. THE MACHINIST staff does not include a numismatist, and is therefore unable to answer inquiries about coins.

UNION SPORTSMAN

Bragging Bee Adds More Good Prizes

New prizes have been added to the list of contest trophies in the IAM Fisherman's Bragging Bee, Joseph M. Kane, business representative for IAM District 64, Providence, R. I., reports. Brown & Sharpe Mfg. Co. has presented handsome cuff links to match the micrometer tie clasps it provided earlier as third place prizes. For IAM fishermen the chance to enter stories in the Bragging Bee ends Oct. 15.

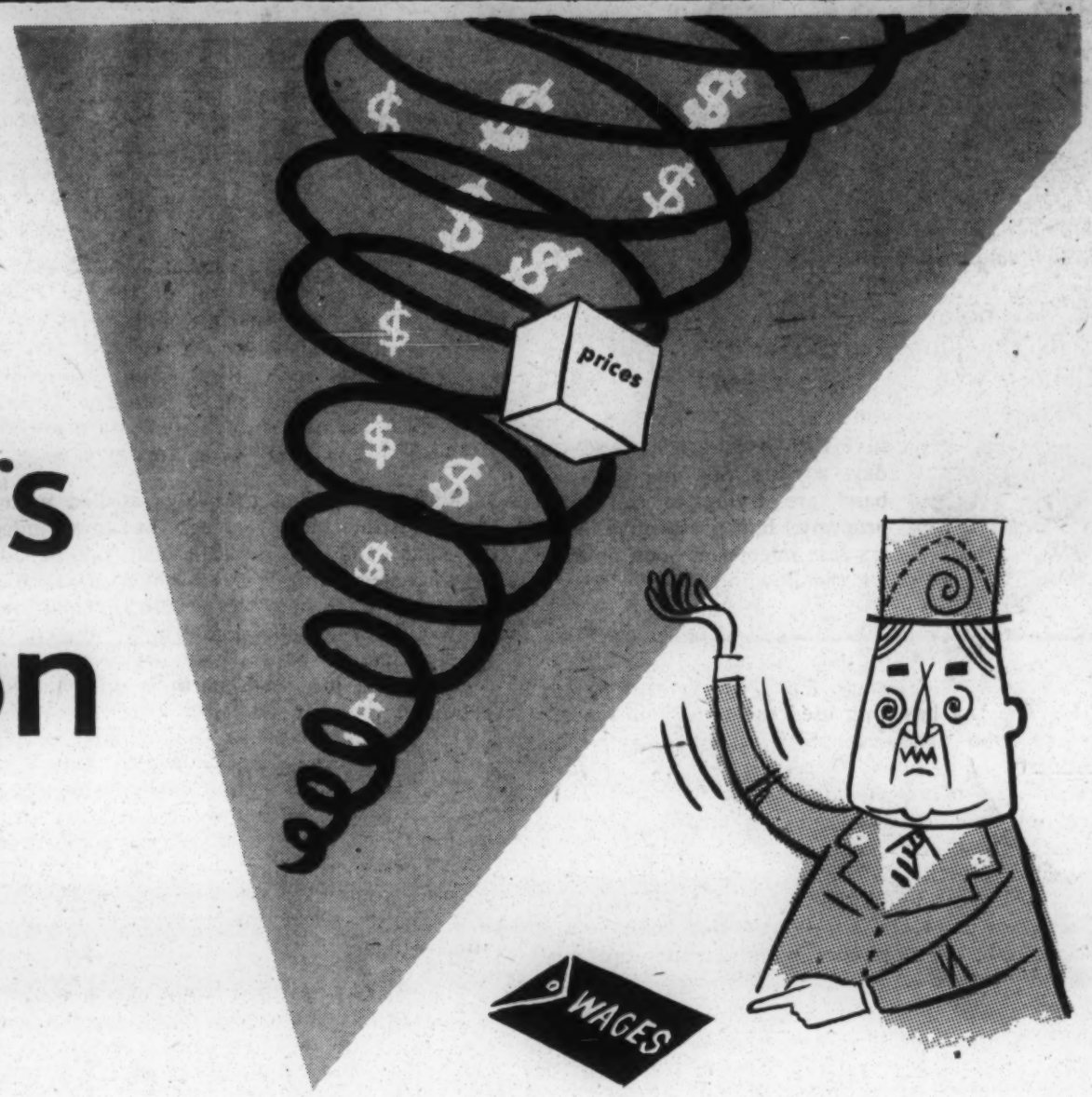
Top prize is an official $49.50 IAM 10 kt. gold IAM ring set with a black onyx. Second prize is a beautiful hand-tooled leather wallet showing a fisherman playing a leaping fish; third prizes are the tie clasps and matching cuff links; and for honorable mention the *Union Sportsman* will award gold-plated IAM lapel emblems.

IAM members and members of their immediate families should mail true fishing stories, no more than 250 words in length, to Fisherman's Bragging Bee, 909 Machinists Bldg., Wash. 6, D. C. Include name, address and lodge number. Letters must be postmarked no later than Oct. 15.

UNITED PRESS PHOTO

Miss Union Maid, Nancie Carroll, was chosen as New Hampshire's shapeliest airplane spotter. You'll choose union-made products.

Labor, Big Business and Inflation



Blaming labor for inflation has become a favorite parlor game (and speech topic) for politicians and corporation propagandists. Last week labor published the facts. The Industrial Union Department of the AFL-CIO published a well-documented 34-page booklet that explains in detail just what are the actual factors that have been fueling our current inflation. Here are some key excerpts from "Labor, Big Business and Inflation":

FIVE OR TEN YEARS AGO it was popular in big business circles to blame inflation on the Roosevelt and Truman New Deal-Fair Deal "spending programs." As prices have continued to move up under a Republican administration, big business groups have looked for a new scapegoat in order to shift attention away from their own role in raising prices. To no one's surprise, they have singled out unions.

The vicious campaign to persuade the public that labor is responsible for inflation is also a part of big business' now apparently never ending effort to discredit and weaken unions.

Actually, labor has been a victim of inflation and not the cause of it. Certainly, it has not profited from inflation. Throughout the entire period of rising prices in the postwar decade, labor's gains were less than it had a right to expect.

Labor Expectations

What did labor have a right to expect? It is just about unanimously agreed that as our economy develops, all groups in it ought to share in the increasing fruits of industry. If our ability to produce goods and services increases, everyone ought to be able to consume more than they consumed before. Economists call this sharing in increased productivity.

What gains has labor actually made during the period of inflation which has troubled the country since the end of World War II?

Productivity Increase

Real wages (that is, wages adjusted to reflect changes in the purchasing power of the dollar) plus the added cost of fringe benefits such as pensions and hospital plans rose 35.2 per cent between 1947 and 1957.

During the same period, productivity went up 37 per cent.

In other words, total real compensation for employees, including wages and fringe benefits, has not kept pace with the rising output of the economy as a whole.

Also, between 1947 and 1957, unit wage costs went up 15.7 per cent. At the same time, the industrial price level jumped 25.6 per cent.

The real blame for the present inflation should be placed upon the shoulders of the giant corporations that exercise their great economic power to raise prices and widen their profit margins. These corporations have reaped the benefits of technological advances without translating the increased productivity into lower prices for consumers as well as higher wages for workers.

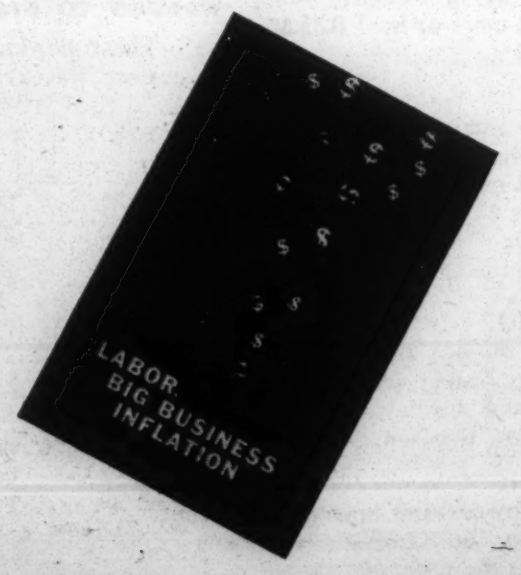
For example, three leading companies in each of 10 key industries have increased their share of corporate profits (after taxes) in all manufacturing from 17.5 per cent in 1947 to 31.1 per cent in 1957.

Big Business Control

The smaller manufacturing companies were not faring nearly so well during the same ten-year period. While the 30 top companies were increasing their rate of profit, the rate of profit on investment for all other manufacturing companies fell from 16.1 per cent to 11.5 per cent.

More and more people are beginning to realize that, unless the great corporations which control so large a share of economic power in the United States can be persuaded to act with greater consideration for the public interest, American economic life will be subject to continuing inflationary pressures.

Single copies of the booklet, entitled "Labor, Big Business and Inflation," are available free to union members. Write: Industrial Union Department, AFL-CIO, 815 Sixteenth St., N. W., Washington 6, D. C.



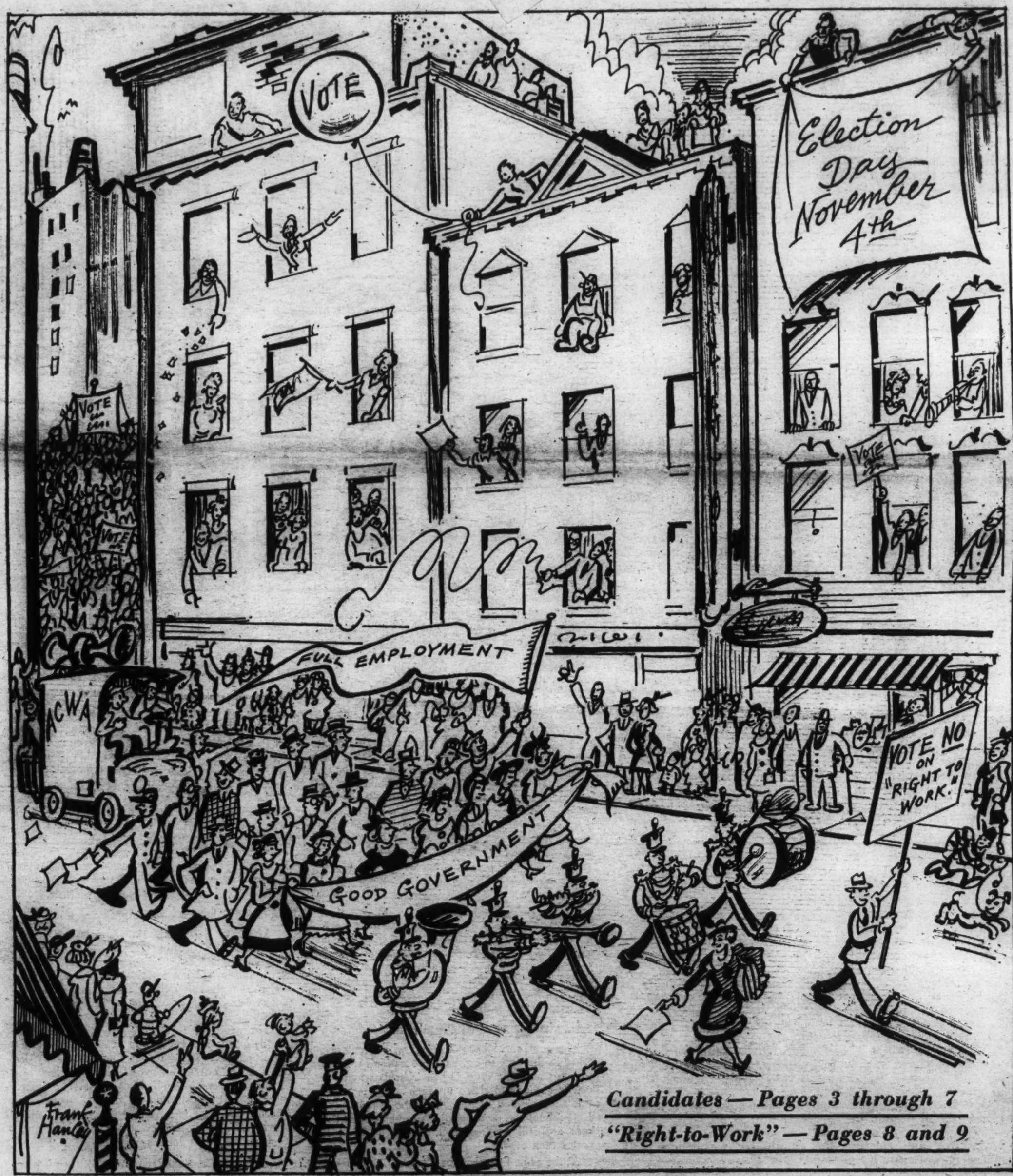
The Advance

PUBLISHED BY THE AMALGA[illegible]OTHING WORKERS OF AMERICA

Vol. 44, No. 20 • October 15, 1958

Emory V1E
Southern Hee
Counc 1 1 Inc
Suburban AVNE
Lanta 3 Ga-Com

NORTHEAST
ATLANTA
GEORGIA



Candidates — Pages 3 through 7

"Right-to-Work" — Pages 8 and 9

The Advance

442

October 15, 1958
VOL. 44 NO. 20

THE ADVANCE published semi-monthly by the Amalgamated Clothing Workers of America (AFL-CIO) at 15 Union Square, New York City 3, N.Y. One Year $1.50 In Canada, One Year $1.75. Single Copies 10c. Second Class Postage paid at New York, N.Y.

C. Edmund Fisher, Editor.

The Candidates and the Program

The Amalgamated Clothing Workers of America firmly believes that a major role of the union and of its members is active participation in politics to strengthen the nation's economy and protect the general public from harmful legislation sponsored by selfish interests.

This year, as in the past, the ACWA has endorsed candidates for Congress, governorships, and other public offices. Some are incumbents, some are seeking a particular office for the first time. All of them have compiled good records, either in office or in some other phase of public life.

In the following pages of "The Advance" you will find the names and biographical sketches of some of these endorsees. Unfortunately, space limitation prevented us from using the names and sketches of all the endorsed men and women. Nevertheless, all of these people, we believe, are best suited to spark a new era of liberal legislation and governmental policies that will revitalize our sick economy and regain the confidence of our friends abroad.

And there is a dire need for such sparking. Since the Republican Party took control of the Federal Government over five and a half years ago, there has been a steady rise in the cost of living, a recession that has not been solved, and a steady decline in our prestige in the world. Although the Democratic Eighty-fifth Congress created a record of accomplishments in some areas, it was balked by the Eisenhower Administration time after time on many issues, such as tax reductions for the low- and middle-income groups, through threats of veto and other means.

To offset a do-nothing White House position, it is mandatory that the Democratic majority be increased substantially in the forthcoming Eighty-sixth Congress. It can be done through the election of liberal candidates who have the union's endorsement.

What are some of these needs that the Eighty-sixth Congress must take care of? There are more than a dozen basic ones that organized labor considers essential to recreating prosperity and removing inequities and restrictions surrounding many human beings. They follow:

- Reduce federal income taxes for low- and middle-income families to relieve them of an extraordinarily heavy tax burden and thus channel these tax savings into purchasing power; close loopholes in the tax structure favoring certain private interests, such as oil and insurance companies; reduce excise taxes and exempt from taxation contributions to federal retirement systems.
- Extend coverage of the Fair Labor Standards Act to some 10 million not now protected and increase the minimum wage to at least $1.25 an hour.
- Overhaul the Taft-Hartley Act to restore justice and equity to both labor and management; repeal Section 14 (b) that gives states the privilege of passing anti-labor "right-to-work" laws.
- Overhaul the social security system to provide for hospital, nursing home, and surgical care for those receiving benefits.
- Take positive steps to safeguard clean unions from racketeers and improper activities in both labor and management.
- Modernize the unemployment benefits system to provide more equitable payments and length of benefits in the states; provide increases in retirement and unemployment benefits for railroad workers.
- Expand the housing program to provide more low-cost public housing and eradicate slums.
- Provide federal aid for education to offset the growing schoolroom shortage and to attract competent teachers.
- Improve civil rights legislation to insure equal treatment for all citizens and equal protection of the laws.
- Liberalize the immigration laws, including modification of the quota and national origin systems.
- Authorize self-financing for the Tennessee Valley Authority, and expand the program to apply atomic energy to peacetime uses.
- Enact an area redevelopment program similar to that passed by the Eighty-fifth Congress and vetoed by President Eisenhower.
- Establish a trade adjustment program for industries and workers adversely affect by imports.
- Adopt fringe benefits for federal employees comparable to those in private industry, and recognize their right to organize and bargain collectively through their unions.
- Provide federal workmen's compensation and safety standards in atomic energy installations.

You can help enact that comprehensive program by voting for and electing the candidates we believe will sincerely work for its passage.

"Don't Get Hysterical—I'm Watching All the Time"

Herblock in The Washington Post

You and Political Action

One of the key resolutions unanimously adopted at the Amalgamated's twenty-first biennial convention last May in Atlantic City was that dealing with political action. With the election campaign in high gear and election day, November 4, approaching, every Amalgamated member should read and reread that resolution, for it spells out in detail the problems facing the nation and how Amalgamated members can help meet them through their power of the ballot. The resolution follows:

Six years of Republican control of the national Administration have left us virtually leaderless at a time when we are faced with serious crises at home and abroad, and with a rising anti-labor tide threatening many of the gains of organized labor. For almost a year the nation has been sinking into recession. Unemployment steadily is increasing, purchasing power is declining while the cost of living is rising. We have tools at hand to combat the recession, tax relief to restore consumer purchasing power, additional social welfare legislation to help relieve the unemployed, and extensive building programs to put the unemployed back to work.

In the face of this crisis the Administration, and their allies in Congress, have failed to act. They are more anxious to maintain the status quo than to take the bold and dynamic steps to put the nation back on the path to prosperity. The same forces who helped bring on the recession through their tight money policies and high interest rates have resisted tax relief.

Major Attack Opened on Organized Labor

The same anti-labor politicians who threatened earlier in the year to cut back the nation's welfare programs are now dragging their heels when the need is obvious to shore up such programs. The same short-sighted officeholders who failed to institute school and road-building programs in earlier times are still holding back when the need is greater than ever.

At the same time that the Federal Government lacks courageous leadership, less scrupulous forces are mounting a major attack on the rights and gains of labor. Emboldened by a climate poisoned by the McClellan Committee, the professional labor haters and their allies are promoting legislation which would seriously cripple labor's strength. Across the land these forces are pouring money and manpower into the task of putting misnamed "right-to-work" laws on the books of every state.

It is in times like these that workers, as union members and as citizens, must redouble their efforts to bring back to our government a leadership capable of putting into effect a vigorous program of policies and action designed to cope with the hardships created by depression and put our economy back on the road to economic growth.

In the 1958 Congressional elections, labor could do much to help elect men of vision and purposefulness to both Houses and to a score of state capitols, men who will not be satisfied with drift and indecision, who will choose the public welfare over private greed and selfishness, who have faith in our expanding economy and our even higher standard of living and who will fight for legislation which will make them possible.

Good Candidates Need People's Support

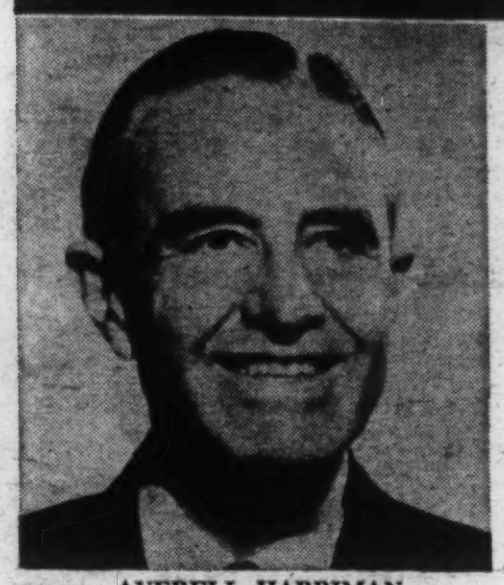
Men like these, both incumbents and candidates for office, are available if they can be assured of support. Since they are denied the support of big business, labor must join hands with farmers, consumers and citizens everywhere to assure full registration of all voters and full backing for liberal candidates.

The need for greater activity to insure that our members are eligible to vote is particularly important. Our political and educational activities can succeed only if an overwhelming percentage of our membership is eligible to vote. The job of assuring full registration of our members is a difficult one, but is nevertheless a job we must pursue with all the energy at our command.

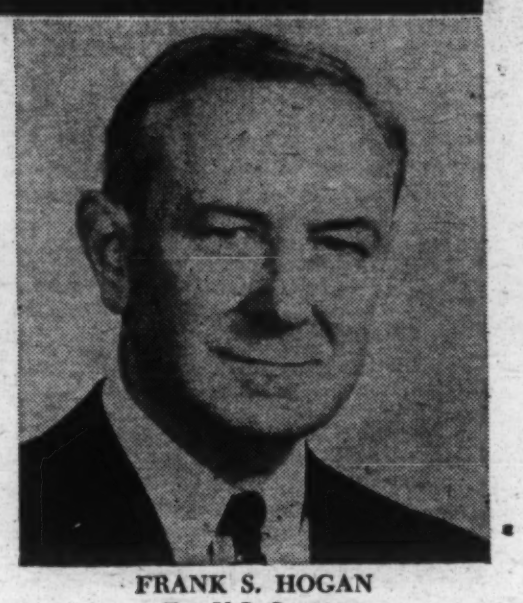
Over the years, labor's participation in govern-

(Continued on Page 9)

In New York



AVERELL HARRIMAN
For Governor



FRANK S. HOGAN
For U.S. Senator

In New York

Harriman for Governor, Hogan for U.S. Senator

Governor Averell Harriman has given New York State outstanding leadership since his election to that post in 1954. Because of his fine record, the Amalgamated Clothing Workers of America is wholeheartedly supporting Harriman, the Democratic-Liberal candidate, for re-election.

Running on the same ticket is labor-backed Frank Hogan, campaigning for election to the United States Senate. Hogan, district attorney in Manhattan, has won frequent recognition for his devotion to public service and his views on matters of public concern.

Also, in a key race, Anthony B. Akers is running on the Democratic ticket for Congress in the Seventeenth Congressional District, also known as New York City's "silk stocking district." He has the active support of organized labor in his fight to wrest control of this district from the Republican Party.

When Harriman was elected governor in 1954, he restored democratic rule to the state, doing so in his insistence that the wage and salary earners must be protected against exploitation.

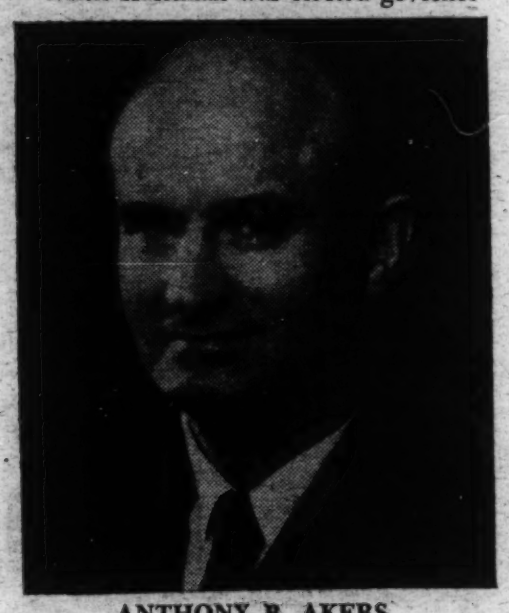
He led a classic fight against the Republican-controlled legislature in an effort to improve workmen's compensation and unemployment insurance, calling the legislature back into special session after he had vetoed proposals that would have done harm to the workers and to many seasonal employers, such as those in the needle trades.

Looking out for the consumer, he brought about for the first time state regulation of interest rates and other charges and terms of installment sales.

Schools have been helped greatly under his administration, with aid to education having been increased 77.6 per cent in four years.

Hogan, as the candidate for U.S. Senator, has for the last 17 years directed the operations of the busiest law office in the world. He has been a fair and determined prosecutor, and has been active in many civic affairs, among these as chairman in 1952 of the Brotherhood Week observances for the New York Region of the National Council of Christians and Jews.

Akers stands for adequate public housing, equitable taxation, better schools, modernization of the restrictive immigration laws, and other legislation that would benefit the people.



ANTHONY B. AKERS
For Congressman

Amalgamated Bank and Union To Sponsor TV Weather Show

The Amalgamated Bank and the Amalgamated Clothing Workers of America announced this week that they will sponsor a twice-a-week five-minute weather program on WABC-TV, Channel 7, in the New York area. The Amalgamated sponsorship will begin on October 27.

It is estimated that the program will reach not only New York City, but heavily populated areas in four states as far as 60 miles from New York City.

The program will introduce a contest to stimulate interest in the Amalgamated union label and the Amalgamated Bank. Contest entry blanks may be obtained at any retail clothing, furnishings or department store, where the sales clerk will validate the entry by writing in the number of the contestant's union label in a suit, coat, shirt, or other item of apparel. The contestant must then write in 25 words or less a brief summary of the advantages of union label apparel.

Winners will be chosen by a panel of judges every month. First prize is a $250 open account in the Amalgamated Bank. Second and third best entry writers will receive $150 and $100 accounts in the Bank.

The program will be accompanied by strong promotional efforts, particularly among apparel retailers in the area covered by Channel 7. It is hoped that the program will stimulate interest not only in the Amalgamated Bank but also help promote union label consciousness among consumers.

NY Shirt Bd. Discusses Need to Register, Vote

The importance of registering in order to be eligible to vote in the November election was discussed at a meeting of shop chairladies called by the Joint Board of Shirt, Leisurewear, Robe, Glove and Rainwear Workers Union of New York, under the management of Charles Garrahan, on September 22.

Garrahan and Emil Starr, national education director of the Amalgamated, were the speakers. The tie-in of politics with economics was stressed by both of them.

In the shirtmakers' union the matter of registration has two points that had to be cleared up and this was done by the speakers. One was that the Puerto Rican members have to take the literacy test in order to qualify as voters and a fear prevails among them that it is a complicated procedure and they will not be able to take the test.

A preponderant majority of members of this joint board are women and those who are married think that because their husbands are voters they automatically are qualified to vote.

The shop chairladies were urged by Garrahan and Starr to talk to the people in the shops and explain both problems —that of the Puerto Ricans, and of the married women, which are based on misunderstandings. It should not be difficult for the chairladies to explain to those that have to take the literacy test that it is much simpler than they think and anyone who can read and write will find this test quite easy to pass.

As for the married women who have not voted in previous elections, the explanation must be made to them that regardless of the voting status of their husbands they, too, will have to take the literacy test and register in order to be able to vote.

A thorough explanation was given by the speakers about the relationship between political action and the economic condition of the workers. They cited instances of how the interests of the workers sustained a defeat because they elected representatives in Congress or in state legislatures who promulgated anti-labor laws and failed to vote in favor of laws that would improve wages and working conditions.

Political action by organized labor, the speakers stressed, would have prevented the adoption of the vicious, anti-labor Taft-Hartley Act and the strike-breaking "right-to-work" law that is now in force in 18 states.

Garrahan and Starr also discussed the question of the necessity to raise funds for the Amalgamated Political Education Committee. Since union funds cannot be used in a national election campaign it remains for the members to make voluntary contributions to APEC.

In Minnesota

Freeman, McCarthy Head Strong Liberal Ticket

In Minnesota, labor is backing a strong slate of liberal candidates based, for the most part, upon their fine records in office. These candidates, running on the Democratic-Farmer-Labor ticket, have shown by their records that they deserve the support of labor and liberal groups in the state.

Heading the ticket is Governor Orville Freeman, who seeks re-election, and Congressman Eugene J. McCarthy, who is running for a seat in the U.S. Senate.

Along with these two men, the Amalgamated and other segments of organized labor in Minnesota are supporting the re-election of Congressman Roy Wier, of the Third Congressional District, and the election of Joseph E. Karth, who is campaigning for the Congressional seat in the Fourth Congressional District being vacated by McCarthy.

Governor Freeman, a veteran of public office, has vigorously demonstrated his concern for the welfare of the people of Minnesota. During his administrations, his program has been geared to improving the general welfare of the workers and the farmers as well as all the wage-earners.

McCarthy, in his campaign for the Senate seat, has the benefits of great experience in public office and a fine record of support for liberal legislation beneficial to labor. As a veteran Congressman, he consistently supported such important legislation as the minimum wage, hospital and school construction, reduced income taxes and farm price supports.

Congressman Wier has a liberal record in Congress equal to that of his colleague, McCarthy. A former labor organizer, Wier has served the cause of liberalism in the House of Representatives with integrity and fervor.

In seeking the Congressional seat in the Fourth District vacated by McCarthy, Karth stands for the same liberal platform and program of McCarthy. As a representative in the state legislature for the past eight years, Karth has introduced many important measures beneficial to the people.

In Minnesota

ORVILLE FREEMAN
For Governor

EUGENE J. McCARTHY
For U.S. Senator

In Massachusetts

Labor Supports Kennedy, Furcolo for Re-election

In the election campaign in Massachusetts, the working people of this industrial state are solidly behind the re-election of Senator John Kennedy and Governor Foster Furcolo. Both men are running on the Democratic ticket.

Labor is also supporting the candidacy of John L. Saltonstall for Congressman from the Tenth Congressional District. Senator Kennedy is well known to the voters of Massachusetts for his brilliant record as a liberal in the Senate. An ardent supporter of legislation beneficial to the working men and women of the country, he has also been an outspoken supporter of improved civil rights legislation.

On the labor and economic front, Kennedy has been one of the leaders in the fight for good labor laws that would protect the security and rights of the organized worker. He fashioned the Kennedy-Ives labor reform bill, which labor backed. He was also one of the stalwart backers of improved unemployment compensation benefits to help fight the present recession and for the increase in social security benefits, which was recently adopted.

Furcolo, a veteran legislator, served in the House of Representatives before he became governor. An opponent of anti-labor measures, including the infamous Taft-Hartley Law, he has given the people of Massachusetts good liberal government during his term in office. Recognizing labor's contribution to civic affairs, he recently appointed ACWA vice-president Joseph Salerno as a member of the State Board of Education.

In the Tenth Congressional District, labor is backing Saltonstall in his campaign to win the Congressional seat from the incumbent, Republican Laurence Curtis. Though related to the Republican Senator, Leverett Salonstall, the young man noted that he became a Democrat years ago when he realized "the Democratic Party was for all the people."

A strong supporter of civil rights for all, Saltonstall is chairman of the Massachusetts Council for Civil Rights. His background as a lawyer with many years of government experience will serve him in good stead as a liberal Congressman.

In Massachusetts

JOHN KENNEDY
For U.S. Senator

FOSTER FURCOLO
For Governor

In New Jersey

Labor Helps Williams In Race for the Senate

In New Jersey, labor's political arm is working on all cylinders to achieve victory for the labor-endorsed candidacy of Harrison A. Williams for U. S. Senator.

The labor campaign to elect Williams over the opposition of his big business Republican opponent, Robert W. Kean, has spread throughout the state, with great support coming from the rank and file. New Jersey trade unionists have made a careful study of the voting records of both Williams and Kean while they served together in Congress from 1954 to 1956.

The analysis proves conclusively that as a Congressman, Williams casts his votes for "the little guy" who has to work for a living. On issue after issue, Williams supported recommendations of the labor movement on legislative measures before Congress for consideration.

On the other hand, the analysis demonstrates that Kean rejected labor's recommendations and has faithfully supported the big business philosophy that has marked the present national Administration.

A genuine friend of labor, Williams has received the unanimous endorsement of labor in New Jersey.

On the issues facing the nation, Williams has taken a liberal, forthright stand. On the economic front, he is keenly aware of the problem of recession in the midst of inflation. "We have had very little good analysis of why this should happen," he said in a recent interview. "We should have a more intelligent study of the wage-price relationship, and specifically of how the consumer dollar is divided, and who gets it. Such a study might suggest programs necessary to meet inflation."

Other anti-recession moves called for by Williams include establishment of federal standards for unemployment compensation programs, and an increase in the minimum wage to an adequate hourly rate of at least $1.25.

In the field of civil rights, Williams has long been an outspoken advocate of the extension of civil rights to all citizens. He said that moral leadership is required for the complete accomplishment of desgregation, particularly in the schools.

An enthusiastic campaigner, Williams, with aid from the AFL-CIO, is bringing these issues to the voters throughout the state. He deserves the full support of the liberal and labor people of the state.

In Connecticut

ABRAHAM RIBICOFF
For Governor

THOMAS J. DODD
For U.S. Senator

In Connecticut & Rhode Island

Ribicoff, Dodd, Bowles, Roberts Seek Election

In two leading New England states, liberal public officials with fine records in office are campaigning for election with labor's full support. In Connecticut, they are Governor Abraham Ribicoff, seeking re-election, former Congressman Thomas J. Dodd, who is running for the U.S. Senate seat now held by Senator William A. Purtell, and former Governor Chester Bowles, who seeks the Congressional seat from the Second Congressional District. In Rhode Island, labor backs Governor Dennis J. Roberts for re-election. All candidates are Democrats.

Governor Ribicoff has established a fine record in behalf of the general welfare during his tenure in office. A man of high principles, he has supported decent labor and social legislation for the people of his state and has been a ceaseless fighter to improve the economic conditions of the working men and women.

Dodd, a former member of the House of Representatives, made a fine record as a liberal Congressman. He supported measures giving aid to education, extending unemployment compensation, lowering income taxes for the low-income group, and encouraging public housing. He has long been an opponent of the Republicans' giveaway program of the nation's natural resources. A popular figure in Connecticut, Dodd has the wholehearted suport of the liberals.

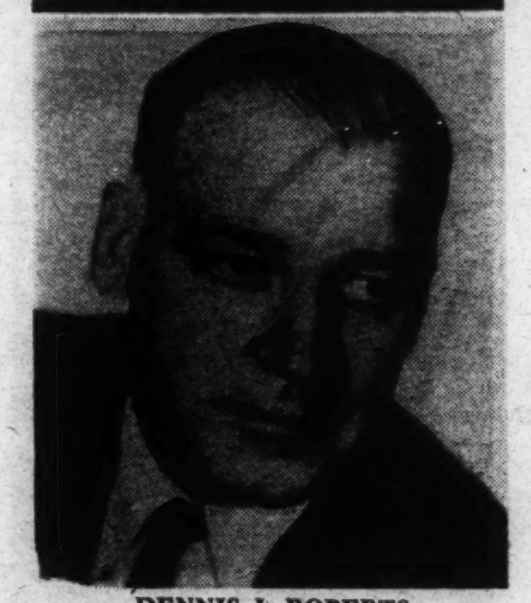
Chester Bowles, candidate for Congress, is a national public figure. A former governor, he has distinguished himself in public office as a fighter for the people. As ambassador to India in the Truman Administration, he spoke and acted ardently for the underdeveloped nations and for greater understanding among the democratic nations of the world.

In seeking a seat in Congress, Bowles stands ready to serve his state and his country in public office, bringing years of experience to the job. A true liberal, he can be counted upon to uphold the best interests of the men and women who do the work of this nation.

CHESTER A. BOWLES
For Congressman

In Rhode Island, Governor Roberts has a long record of public service. For 10 years, he served as the mayor of Providence and has been governor since 1950. Throughout his career in office, he has served the best interests of the people and, in turn, deserves their support.

In Rhode Island



DENNIS J. ROBERTS
For Governor

Nixon Again Tricky On Tax Cut Plan

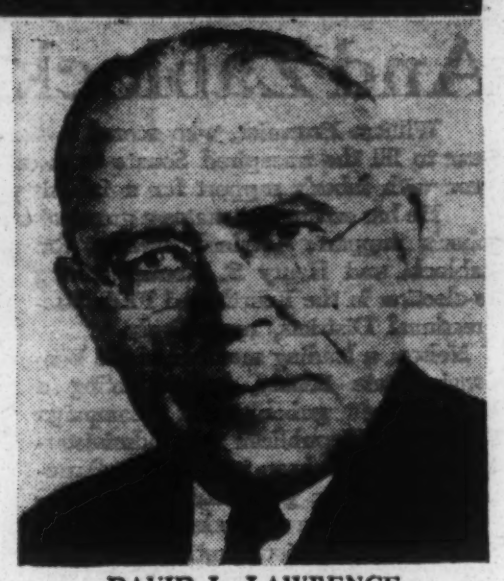
WASHINGTON—Vice-President Richard Nixon's tax proposals, based as they are on the "trickle-down" theory, would "both repeat and intensify" past mistakes, the AFL-CIO "Economic Trends & Outlook" says in an analysis of his program in its September edition.

The Vice-President unveiled his plan at the fiftieth anniversary conference of the Harvard School of Business Administration. It would ease taxes for business and the wealthy, and clamp a 1.5 per cent federal sales tax in the form of a manufacturers' excise levy on consumers.

"Economic Trends," which is published by the AFL-CIO committee on economic policy, recalled Nixon's claim in his address that "we cannot raise the floor of security unless we raise the ceiling of opportunity."

In Pennsylvania

GEORGE M. LEADER
For U.S. Senator



DAVID L. LAWRENCE
For Governor

In Pennsylvania

Lawrence, Leader, Maietta Win Labor's Full Support

With David L. Lawrence and George M. Leader heading the ticket, Pennsylvania's voters have been given an outstanding list of candidates by the Democratic Party.

Lawrence for governor and Leader for U.S. Senator is the slogan among Amalgamated affiliates and other trade unions in the Keystone State.

In some of the key Congressional races, the Amalgamated has given its full support to:

Julia Maietta, an Amalgamated national representative, in the Twentieth Congressional District.

Daniel J. Flood for re-election in the Eleventh Congressional District.

Charles E. Lotz, of Pottsville, for election in the Twelfth Congressional District.

John H. Bream, of suburban Harrisburg, for election in the Sixteenth Congressional District.

Van Zandt, Fenton Records Weak

In the Twentieth Congressional District, the Republican incumbent, James E. Van Zandt, has a ragged record. In the last Congress, he voted to cut $2 million in grants for the aged, blind, disabled, and dependent children. He also voted on two issues for the high-cost private power corporations as they fought atomic energy controls and TVA low-cost power.

Sister Maietta, who came out of the shops as a worker to work for the people in the shops, has served on many public boards, including the War Manpower Commission and the Clearfield County Public Assistance Board.

She is basing her campaign on tax cuts for the low income groups, raising unemployment and social security benefits, inaugurating a broad program of road, school, and hospital construction, and easing credit controls.

Lotz' opponent, Ivor D. Fenton, the Republican incumbent voted in the last Congress to cut funds for the blind and aged, etc., and to cut extension of unemployment compensation benefits by three weeks, a fact that has already hurt thousands of jobless Pennsylvanians. He also voted against a good housing bill and for states to hamstring the working man in his efforts to bargain with his employer.

Bream is opposing Walter Mumma, who compiled an anti-public record in Congress. Mumma voted to reduce the extension of unemployment compensation benefits, and against housing, adequate help for the aged and blind, and against the working people through his vote on a labor bill. Mumma is considered one of the reactionaries in the House.

Flood has compiled one of the finest records in the House of Representatives, voting for monies for the aged, blind, etc., decent public housing, more schools, and for a proposal that would have helped depressed areas get back on their feet.

The two men heading the ticket — Lawrence and Leader — have done outstanding jobs. Lawrence as mayor of Pittsburgh, has been a spearhead in revitalizing that city by putting in smoke control, rebuilding the business district, bringing in new industries, and providing motorists with ample parking space in the business district, among other constructive accomplishments.

Leader, whose excellent leadership as governor is well known in Pennsylvania, will carry on his liberal views in the U.S. Senate, where he would support laws that would help expand industry in that state, provide for more schools and public housing, and many other key items that would make the lot of the working people and their families much richer.

JULIA MAIETTA
For Congresswoman

RR Doom Prophecy Hit by Rail Union

WASHINGTON — A spokesman for railway labor charged that management has been unduly pessimistic about the future of rail transport. He backed up his statement with industry's own statistics.

Chairman G. E. Leighty of the Railway Labor Executives' Association cited the latest figures on net income of Class I railroads as evidence that "the prophecies of doom by rail industry leaders were without substantial foundation."

In Maryland

D'Alesandro, Tawes Head Labor-Supported Slate

The team of D'Alesandro and Tawes is heading up a strong labor-backed ticket in Maryland that includes such outstanding candidates for Congress as Johnston, Brewster, Garmatz, Fallon, Lankford, Foley, and Friedel.

Thomas D'Alesandro, Jr., running for the U.S. Senate, has a powerful background of good government. He was a member of Congress from 1938 to 1947 and built up and enviable record.

As mayor of Baltimore since 1947, D'Alesandro has carried out the greatest program of public improvements in the city's history. As the next U.S. Senator from Maryland, he would be in the forefront of the fight to bring good government — government of the people and for the people—back to Washington.

J. Millard Tawes, the Democratic gubernatorial candidate, has served as state comptroller 16 years, has been state banking commissioner, chairman of the board of revenue estimates, and a member of the board of public works. With this solid background, he would be a fine administrator.

Edward A. Garmatz, George H. Fallon, Richard E. Lankford, and Samuel N. Friedel are seeking re-election from the Third, Fourth, Fifth and Seventh Congressional Districts, respectively. Their records in Congress have been consistently in favor of legislation that would help the working people, whether it be for more schools to meet the education crisis, or unemployment compensation, social security of taxes.

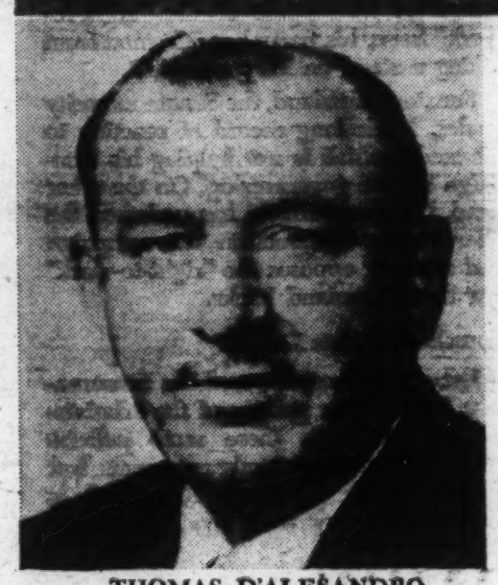
Also on the Democratic ticket are these capable men seeking to unseat their Republican incumbents: Thomas F. Johnson, with a long and good record in the state senate, running for Congress from the First Congressional District; Daniel F. Brewster, a two-term member of the house of delegates, is labor-supported Congressional candidate in the Second District; John R. Foley, with a record of strong support for good government, running for Congress from the Sixth District.

This is a strong and good slate. It deserves the solid support of all the voters.

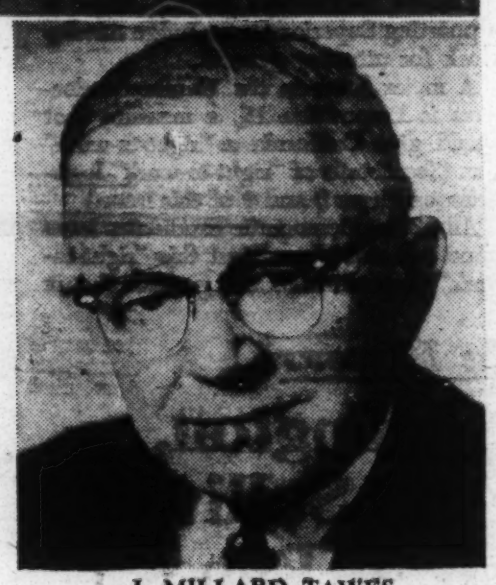
Flint Leader Dies

TOLEDO, O. — William Clarke, Sr., who served 17 years as president of the Flint Glass Workers and a total of 29 years as an officer, died here at the age of 84 after a 10-day illness. A native of Elm Grove, W. Va., he went to work in a glass factory at the age of 10 and rose to become an associate of Samuel Gompers and William Green, former AFL presidents.

In Maryland



THOMAS D'ALESANDRO
For U.S. Senator



J. MILLARD TAWES
For Governor

In Indiana

Hartke Wins Labor Backing

Vance Hartke, organized labor's and the Democratic Party's outstanding candidate for U. S. Senator from Indiana, summed up his philosophy of proper representation for the people this way:

"What is good for labor is good for the country."

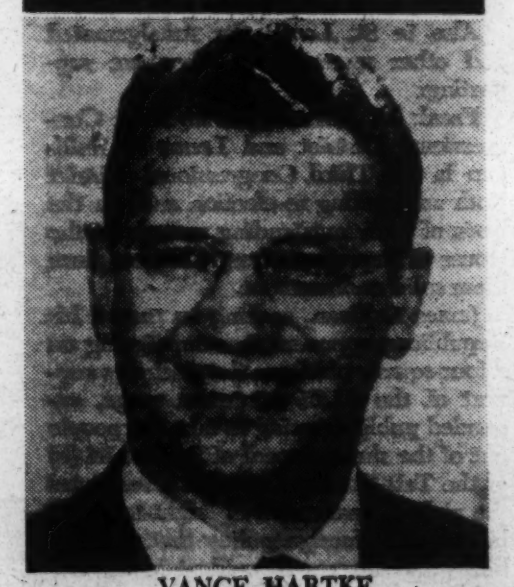
He believes in stronger and more adequate unemployment compensation, is opposed to laws that would harr· labor, and will work for ways to halt the recession and bring prosperity back to the country and its workers.

A World War II Navy veteran, Hartke in 1955, became the youngest mayor in the history of Evansville. Since then, he has made a remarkable record as chief executive of the industrial and commercial metropolis of southwestern Indiana.

Hartke has taken a keen interest and participation in the affairs of his city and state. Prior to his being mayor, he served as deputy prosecutor of Vanderburgh County, and also was a member of the Federal Rivers and Harbors Advisory Committee.

He was an outstanding student while at Evansville College. His marks were so excellent that he received the first double scholarship ever given by the University of Indiana Law School, where he was also editor of the "Indiana Law Journal."

In Indiana



VANCE HARTKE
For U.S. Senator

In California

CLAIR ENGLE
For U.S. Senator

EDMUND G. BROWN
For Governor

In California

Strong Democratic Slate Opposes "Work" Measure

A strong slate of Democratic candidates in California has the strong endorsement of organized labor. These candidates are pledged to support liberal policies and will greatly strengthen the liberal forces in the Congress and in the state government.

Heading the Democratic ticket in the November elections are Congressman Clair Engle, running for U.S. Senator against Republican Governor Goodwin Knight, and attorney general Edmund G. "Pat" Brown, campaigning against Republican Senator William Knowland for the governorship of California.

Besides Engle and Brown, labor is supporting Superior Court Judge Stanley Mosk for attorney general.

A major issue in the California elections is Proposition 18, a measure that would give California a "right-to-work" law. (See details of "right-to-work" legislation on Pages 8 and 9 of this issue.)

All of the Democratic candidates have come out strongly against this "right-to-work" proposition on the grounds that it is against the rights of organized labor.

On the other hand, though Senator Knowland is building a major part of his campaign in support of the "right-to-work" issue, his party has refrained from taking a stand on Proposition 18.

Senator Knowland, the Senate minority leader, has a long record of reaction to his credit which is not helping his campaign for the governorship. On the other hand, Democrat Brown has endorsed the liberal view of issues in the campaign and strongly opposes the "right-to-work" law that Knowland backs.

Knowland Fights Labor

Labor has long opposed the conservative, big business policies of the Administration and it is these same policies which Knowland not only represents, but formulates. If anything, Knowland is more reactionary than the Administration.

In the gubernatorial race, Engle has waged a strong, progressive campaign to defeat Governor Knight. Engle, who has served long and well in the House of Representatives, is outspoken against measures that would restrict labor's rights. As a Congressman he has compiled a solid liberal record on key issues involving water and public power, labor, civil rights, foreign affairs, inflation, small business, social security and education.

In Missouri

Symington, And Sullivan Head Races

The working people of Missouri have top-flight candidates to represent them unselfishly in Congress.

Stuart J. Symington is seeking re-election on the Democratic ticket for the United States Senate. He has labor's whole-hearted support in view of the excellent record he has compiled in Washington.

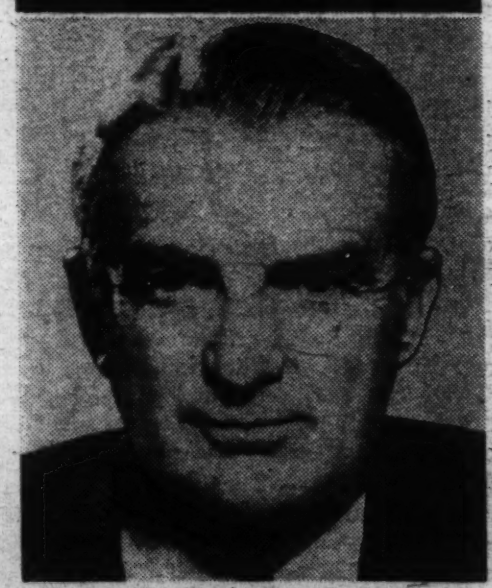
James L. Sullivan has organized labor's full support in his bid for Congressman from the Second Congressional District in St. Louis. He is opposing the incumbent, Thomas B. Curtis, whose voting record on key issues vitally affecting his constituents was far below par.

Also in St. Louis, the Amalgamated and other segments of labor are supporting:

Frank M. Karsten in the First Congressional District and Lenor K. Sullivan in the Third Congressional District Both are seeking re-election and, on the basis of their outstanding records in the House of Representatives, labor has given them solid endorsement.

James Sullivan, seeking to unseat his Republican opponent, is campaigning on a four-square platform that includes support of the $1.25 minimum wage, expanded public housing to take the people out of the slums, repeal of Section 14 (b) of the Taft-Hartley Law that gives states the right to pass vicious "right-to-work" laws, and a foreign policy that removes bluffs and slogans so evident in the Republican foreign policy.

In Missouri



STUART J. SYMINGTON
For U.S. Senator

In Wisconsin

Proxmire, Nelson, Reuss And Zablocki Head Ticket

William Proxmire, who scored a stunning victory on the Democratic ticket last year to fill the unexpired Senate term of the late Joseph McCarthy, is running this year with labor's support for a full six-year term as U.S. Senator from Wisconsin.

He has as running mates a group of outstanding Wisconsonites also with organized labor's support: Gaylord Nelson for governor, along with Congressmen John Zablocki and Henry S. Reuss, seeking re-election in the Fourth and Fifth Congressional Districts, respectively.

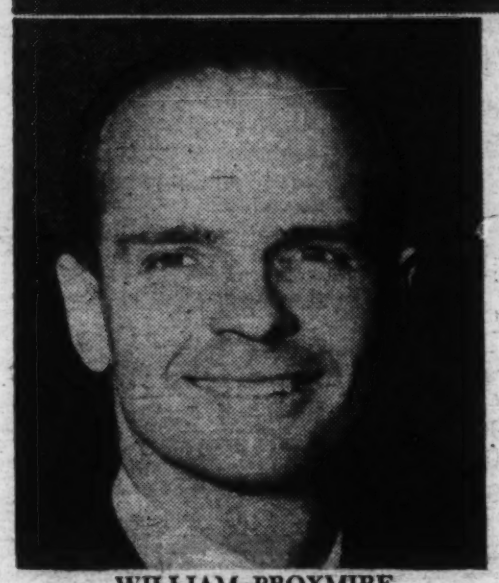
Nelson, a leading member of the Wisconsin State Senate, is conducting a hard-hitting gubernatorial campaign against the Republican state administration's failure to keep its promise of running a debt-free government.

Nelson was one of the leaders fighting against the notorious anti-labor Catlin Act, and has promised that "under no circumstances would I tolerate a 'right-to-work' bill — a phony proposal from beginning to end."

In his short time in the United States Senate, Proxmire has won the respect of his colleagues. His voting record was strong for the people and included favoring improved public housing, unemployment compensation, social security, public assistance, and labor relations.

Reuss and Zablocki both made enviable records in the field of public housing, social security, unemployment compensation benefits, and other items that would have been of great help in alleviating the recession.

In Wisconsin



WILLIAM PROXMIRE
For U.S. Senator

GAYLORD NELSON
For Governor

In Oregon

Labor Backs Holmes For Governor

With an outstanding record compiled in two short years as governor, Robert Holmes is seeking election for a full term on November 4.

He has labor's full support as do these candidates for Congress:

Robert Thornton, seeking to unseat the arch reactionary, Walter Norblad, in the First District; and Al Ullman and Charles Porter, running for re-election in the Second and Fourth Districts, respectively.

Thornton had a top-flight record from a labor and liberal point of view in the Oregon legislature. In 1952, when he won the attorney generalship, he became the first Democrat in many, many years to hold that post. He was re-elected in 1956.

His opponent, Norblad, had a voting record that went for the private utilities as against the public interests, more and needed schools, and also against labor.

Ullman and Porter voted for the people's interests in Congress, and they are campaigning on their records in favor of such issues as public power development to help the great Northwest, for schools, housing, and other legislation to help the people.

Holmes, the Democratic gubernatorial candidate, was elected in 1956 to fill an unexpired term, and since has established a state commission on resource conservation and development, established a program of industrial development for the state, and has co-operated with other governors in the Northwest in the battle for public power development so essential to the Northwest's growth.

In Oregon

ROBERT HOLMES
For Governor

2 Lumber and Paper Unions Near Merger

PORTLAND, Ore. — The possible merger of two AFL-CIO unions in the lumber and paper industry moved a step ahead when the executive board of the Woodworkers at a meeting here ratified a two-year interim agreement with the Pulp, Sulphite & Paper Mill Workers aimed at ultimate unification.

The Pulp-Sulphite executive board had acted previously. Both boards approved the 10-point pact without dissent.

In Ohio

DiSalle and Young Hold Key to Ohio Prosperity

Two hard-hitting liberals—Michael DiSalle for governor and Stephen Young for U. S. Senator—head the Democratic ticket that has won organized labor's support in Ohio.

Both are staunch opponents of the vicious "right-to-work" proposal, and will continue their fight, if elected, on a state and national level against legislation that would hurt working people.

Two able Democrats—Ted Osborne in the First Congressional District and James O. Bradley in the Second Congressional District—are putting on a bang up campaign to defeat their reactionary Republican incumbents, Gordon H. Scherer, in the First, and William E. Hess, in the Second.

Scherer and Hess have compiled plain, downwright anti-people records. They've been against housing, schools, the aged and blind, labor, and the health of the public by voting to cut appropriations to the Food and Drug Administration.

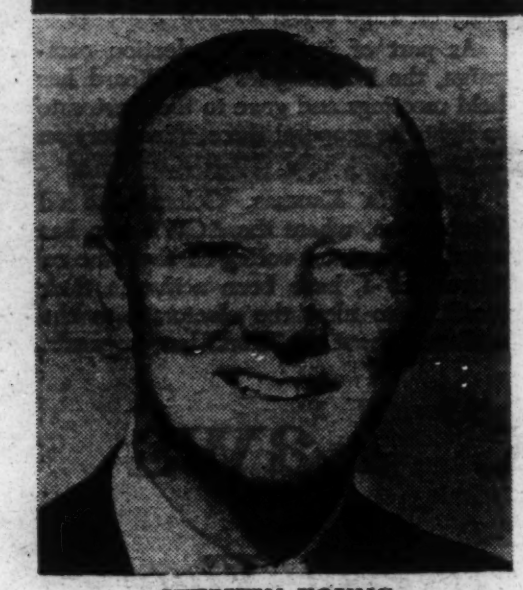
Osborne and Bradley, on the other hand, stand fully behind all efforts to bring protection and help to the people through good legislation. They oppose laws that would hurt the wage and salary earners in their efforts to organize and bargain for a contract. They will help bring prosperity back to Ohio.

DiSalle has mapped a long-range program of "insurance against future recession" which would attract new industry to the state, aid communities for industrial expansion, increase aid to the aged on the basis of need, guarantee equal rights in employment, and supplemental unemployment benefits. SUB has been a key issue in Ohio, with the Republican Party fighting these benefits negotiated by trade unions in an effort to give their out-of-work members additional income.

Young, in his bid for the U. S. Senate, has come out strongly for improving labor laws to protect unions and their members from raiding and anti-labor bosses. He supports public housing, slum clearance, and other means of bringing comfort and health to the people.

In his campaign, he has pointed out how the Republican Party has failed to act to stop the recession, and, in fact, has opposed sound legislation in the fields of tax cuts for the low and middle income families, public housing, school construction, bringing unemployment compensation benefits up-to-date—legislation that would have helped bring back prosperity.

In Ohio



STEPHEN YOUNG
For U.S. Senator

MICHAEL DISALLE
For Governor

In Michigan

G. MENNEN WILLIAMS
For Governor

PHILIP A. HART
For U.S. Senator

In Michigan

Williams, Hart Stand For Liberal Government

All segments of organized labor in the industrial state of Michigan are staunchly supporting Governor G. Mennen Williams' campaign for re-election and lieutenant governor Philip A. Hart's race for the U.S. Senate.

Both these men have served the cause of liberalism in public office and have earned labor's endorsement on the basis of their records. Under Williams' leadership as governor for five terms, Michigan has enjoyed one of the greatest periods of progress in all its history.

Time after time, Williams has marshaled the forces in his party to push and drag a reluctant Republican Party along the path of social progress in the state legislature.

He stands solidly on the issues of good labor legislation and civil rights, and his record shows he stands for a furtherance of a fair deal for the working people and their families in Michigan.

In his fight for a seat in the U.S. Senate, Hart brings years of public service to the task. As the first full-time lieutenant governor in Michigan, he served brilliantly under Williams. Like Williams, he represents liberal thought in government.

Also supported by labor is John S. Swainson, Democratic candidate for lieutenant governor.

In Illinois

Labor Urges Re-election Of Senator Paul Douglas

In his campaign for re-election, Senator Paul Douglas has the enthusiastic backing of all segments of labor in the industrial State of Illinois. One of the great liberals in the Senate, Douglas has led the fight for liberal government in the Congress and the Administration.

Running on the Democratic ticket with Douglas are Congressmen Sidney R. Yates, of the Ninth Congressional District, and Charles A. Boyle, of the Twelfth Congressional District. These able, progressive Congressmen are also strongly endorsed by labor in their race for re-election. Both men have voted solidly for labor and social legislation beneficial to the working men and women of the nation.

As part of their political action program, the Chicago Joint Board sponsored a meeting at which Senator Douglas and Congressman Yates addressed the Amalgamated membership.

In presenting Senator Douglas, Sam Smith, manager of the Chicago Joint Board, said that the voters must elect enlightened, progressive leaders like Douglas if the country is going to solve the serious problem of recession and peace.

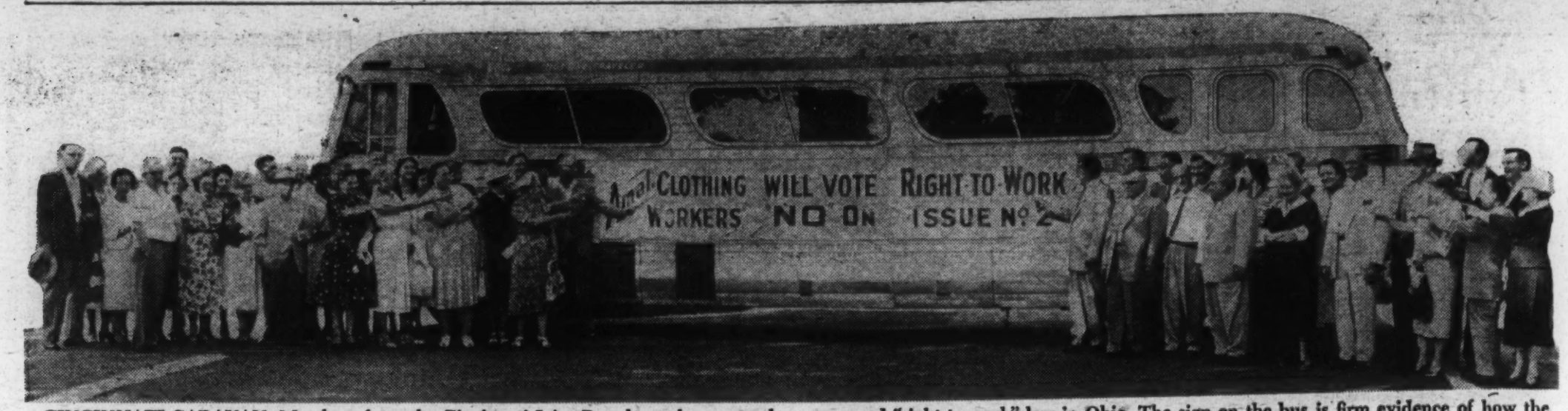
Douglas noted the political structure of the Congress and pointed out that the Democrats, excluding the "Dixiecrats," form the liberal bloc that is working for the welfare of labor and the country as a whole.

He attacked anti-labor forces in the country who are seeking to undermine labor's legitimate rights through oppressive legislation.

Congressman Yates, in his address, paid tribute to Senator Douglas for his forthright leadership in the cause of liberalism.

In Illinois

GOVERNMENT AND LABOR: At a political action meeting of the Chicago Joint Board, Senator Paul Douglas and Congressman Sidney R. Yates discussed their views with the membership. Shown at the meeting, left to right, are: S. Durchslag, joint board president; G. Bettelheim, joint board secretary; Sam Smith, joint board manager; Senator Douglas; Congressman Yates; and Douglas Anderson, secretary to Senator Douglas.



CINCINNATI CARAVAN: Members from the Cincinnati Joint Board are shown standing beside the bus that took them to Columbus, Ohio, for a major rally opposing the proposed "right-to-work" law in Ohio. The sign on the bus is firm evidence of how the Amalgamated members feel about this anti-labor proposal. (See story on Page 9.)

Voters in 6 States Urged to Defeat "Work" Laws That Threaten Unionism

"Right-to-work" laws have one major aim — to keep down the level of wages and salaries by weakening unions and undermining collective bargaining.

That conclusion was drawn in "Union Security — The Case Against 'Right-to-Work' Laws," definitive study of what these laws have done to the living standards of wage and salary earners.

It is particularly timely because voters in six states will vote on such laws on November 4. The states are California, Colorado, Idaho, Kansas, Ohio, and Washington. (See box showing various numerical designations in next column.)

The Amalgamated Clothing Workers of America, along with the rest of organized labor, has long been cognizant of the dangers inherent in "right-to-work" laws.

Scores of clergymen and church organizations representing the three major faiths have gone on record as opposed to "right-to-work" laws. (See excerpts from remarks of three leading clergymen below.)

Many clear-thinking industrialists are opposed to interfering with trade union duties. Among them is J. Paul Getty, head of the giant Tidewater Oil Co., and the richest man in America and possibly in the world, who says he's a "union man," and blames management's charge of "excessive" labor costs as a "handy excuse to cover up inept management's inability to meet competition."

These "right-to-work" laws are drawn up by the most vicious of the anti-labor elements, and peddled under all sorts of disguises in hopes of entrapping voters into believing that the laws will help them get jobs.

That is far from the case. These laws do not guarantee jobs. They do assure the anti-labor employers of keeping wages down. (See box on Page 9 showing wages in "right-to-work" states as against those in neighboring states that do not have any laws hamstringing workers from organizing and bargaining collectively with their employers.)

These laws have still another design — weaken, and even destroy, labor unions to such an extent that they would not be able to represent their members adequately and properly.

The sponsors of these laws also claim that they will help their states economically.

"These laws cannot create markets where they do not exist or where consumer purchasing power is low," is the answer supplied in the book, "Union Security," which was published only a few days ago by the AFL-CIO following exhaustive studies made by the headquarters departments. (The book can be obtained by writing to the AFL-CIO Department of Publications, 815 Sixteenth Street, N.W., Washington 6, D.C. The price is $1.50.)

In line with the Amalgamated's long-standing policy, the union's locals and joint boards in the states in which its members are facing the "right-to-work" issue on November 4 have been working diligently to explain to the membership, their families, and to other voters why these laws are dangerous.

In Ohio, for instance, the Cincinnati and Cleveland Joint Boards and ACWA locals elsewhere in the state joined organized labor in Ohio at a giant rally in Columbus on Sunday, October 7. (See story on Page 9.)

As part of its general election campaign, the Los Angeles Joint Board has held meetings and gone to the electorate to fight the proposal there. (See story on Page 9.)

Locals in Kanasas, Colorado, and Washington, where the ACWA also has members in states voting on the issue on November 4, have been active in their localities to alert the electorate to the real facts about the "work" law proposals.

How States List "Work" Proposals

This is the way the "right-to-work" proposal is listed in six states:

California, Proposition No. 18.
Colorado, No. 5.
Kansas, No. 3.
Ohio, Issue No. 2.
Washington, Initiative No. 202.

Vote "No" and preserve freedom of collective bargaining.

In Idaho, there is a gimmick with two proposals on the ballot — No. 100 in favor; No. 101 against "right-to-work." Voters should vote for No. 101.

Religious Leaders Attack "Work" Laws

The Protestant View

Rev. Dr. Walter G. Muelder, dean and professor of social ethics, Boston University School of Theology, is one of the nation's foremost teachers of Christian Theology and Christian ethics

"All moral rights root in the worth of persons in the community. This means that rights are claimed by persons in their relations with other persons. No one right or claim is unconditional but must prove itself in the light of all other claims. In the last analysis, the standard of measuring the rights of man is the kind of person we ought to develop in society. The kinds of persons we need and can approve of in a democratic society are not the kinds that look out only for themselves but who are responsible members of the community.

"In modern industrial society, personal and group relationships are highly complex. Industrial peace and labor management relations cannot be taken for granted. They must be positively striven for. They can be easily undermined where either party violates the assumptions on which industrial peace exists. We must keep these factors in mind when we reflect on the efforts in numerous states to undermine through 'right-to-work' legislation the basic security of organized labor.

"It is a most irresponsible social policy to destroy the integrity of labor unions under the guise of the so-called 'right-to-work.' The individual worker has no effective legal right to work under conditions worthy of human dignity where strong unions have been eliminated. Since collective bargaining is under present circumstances a proved condition of stable industrial relations, a worker has a moral obligation to accept his share of responsibility through membership in organized labor.

"'Right-to-work' laws do not create jobs; they only victimize the worker and make his organization ineffective."

The Catholic View

Rev. William J. Kelley, O.M.I., LL.D., is a lecturer at Catholic University, Washington, D.C. and one of the nation's authorities on labor legislation

"No man can put God out of his world. Man is a social being created by God. Man is not an economic unit. His final end is God and not economic production.

"There is resident within man a natural instinct for association. This instinct man has from his very nature from the day he was created by God. Right reason and Sacred Scripture both support man's right to association. Since man has this natural right, society has the obligation to honor this specific right.

"The American working men and women have, over the years, sought to protect their primary right of association by seeking security clauses in their collective bargaining contract. They are a necessary means to the security sought in the act of association. To deny the use of a necessary means to obtain a just end, namely the right of association, is contrary to sound social morality.

"I hold that these 'right-to-work' laws take away from man a necessary means to achieve and protect his God-given right of association. . . . such legislation makes a mockery of the constitutional right to organize for the common good and welfare.

"It seems to me that this 'right-to-work' legislation defies the majority rule of our democracy and even goes to the extent of placing an individual right before the group rights of fellow-workers.

"The 'right-to-work' laws may well be an invitation to disaster of the general welfare.

"'Right-to-work' laws are immoral according to Catholic social teaching."

The Jewish View

Dr. Israel Goldstein, Rabbi of the Congregation B'nai Jeshurun in New York, President of the American Jewish Congress, has served as a member of the National Labor Relations Board

"Just as work is glorified in the Jewish tradition, so a concern for laboring people is also a recurrent theme in Jewish moral law. In keeping with this age-old concern for laboring people, Jewish religious groups have always vigorously supported the rights of laboring men and women to organize and to work in conditions of dignity and decency.

"By organization and collective bargaining, the individual worker has been able to convert the 'strength of all to the strength of each.' Perhaps most important of all, the trade union has been one of the most effective forces in resisting the de-humanization of the worker which has resulted from the industrialization of our society.

"The so-called 'right-to-work' laws, no matter what their title, seek the destruction of the trade union movement, the abrogation of democratic rights which it has taken decades to secure and the undermining of one of the strongest pillars of American democracy.

"They do not guarantee work for, or increase the opportunities of Negroes, Jews, or other members of minority groups, nor do they guarantee women employment. . . .

"Union security agreements are merely devices whereby an attempt is made to distribute the cost of unionism among all the persons who receive its benefits . . . a perfectly sensible, fair and essentially moral arrangement.

"'Right-to-work' laws . . . amount to the government telling the parties most concerned that they may not agree to a particular type of arrangement believed by both parties to be both sound and fair. I condemn 'right-to-work' laws."

ACWA Urges Political Activity

(Continued from Page 2)

ment has brought a new element of political democracy to our nation. At one time, elections were decided by corporate wealth and political machines. Today, through unions, the voice of the worker plays an increasingly important part in the electoral process. Political activity by working people is not only a right, it is an obligation — it has helped to make our government more broadly representative of the people and more responsive to the general welfare.

Resolved, that the twenty-first biennial convention of the Amalgamated Clothing Workers of America, AFL-CIO:

1—Strongly urges every local union and joint board to exert itself to the utmost in this vital election year, particularly in such areas as raising voluntary contributions, educating union members on the issues, and co-operating with other organizations in campaigns in support of liberal and enlightened candidates and programs.

2—Calls upon local unions and joint boards to set up special committees to assure that every Amalgamated member is registered to vote in the 1958 elections, which will check the names of members in each shop against registration records and give all assistance possible to those who are not yet registered.

CLEVELAND DELEGATION: This group of Amalgamated members represented the Cleveland Joint Board at labor's rally in Columbus to stop the "right-to-work" proposal on the November 4 ballot. They are shown in front of the bus that carried them to the rally.

Vote No! Is the Ohio Slogan On "Work" Law Issue No. 2

Bucking a multi-million dollar campaign by anti-labor forces, Ohio trade unions are rallying their members, families, and friends to defeat Issue No. 2 ("right-to-work") on November 4.

One of the highlights in labor's campaign was a major rally attended by some 4,000 trade unionists in Columbus on Sunday, September 7.

Amalgamated groups were among the leading delegations that came by chartered buses and motorcades from every corner of Ohio.

The Cincinnati Joint Board and its locals, the Cleveland Joint Board and its locals, and Local 435 in Versailles and Local 449 in Coldwater, sent large representations, with ACWA vice-president Jack Kroll, manager of the Cincinnati Joint Board, and Max Amdur, manager of the Cleveland Joint Board, leading the groups.

The rally was sponsored by United Organized Labor of Ohio and was planned by the steering committee, of which Kroll is a member.

Some 60 Cincinnati Joint Board members and their wives went by bus and auto to Columbus. The delegation included, in addition to Kroll, Marco Meccia, assistant manager; Henry Seibert, Jr., president; Joseph Eisen, recording secretary; Henry Schroeder, secretary-treasurer; Henry Seibert, Walter T. Grainger, and Joseph Sepate, business representatives; and Emma Ferrari, education director.

The Amalgamated and other trade union groups served notice on the Ohio Chamber of Commerce that they will fight the "right-to-work" proposal right down to the wire — and the wire is election day, November 4.

With "Vote No on Issue No. 2" as a principal slogan, the people at the Columbus rally went back home to do a real job pointing up how a "right-to-work" law is really a right-to-scab proposition that guarantees nobody a job, and would weaken, and eventually destroy, organized labor.

In fact, a "right-to-work" supporter, professor Russell Decker, of Bowling Green University, admitted that during a debate in Findlay, Ohio, on July 17. Asked if such a law would weaken trade unions during negotiations, he replied:

"Yes, it would weaken unions at the collective bargaining table. That is one of the purposes of the 'right-to-work' proposal."

That is why the industrialists and other anti-labor factions in Ohio have spent millions of dollars to jam this proposal into law on November 4.

The day before the Columbus rally, trade unions in Cincinnati held a major education conference. Among the sponsors was the Cincinnati Joint Board, while Emma Ferrari, the joint board's education director, served on the conference committee as recording secretary.

One of the key subjects discussed was "What can labor learn about communication and community relations from the present 'right-to-work' issue?" The moderator was Dr. Gerald Harriman, chairman of the department of business administration, Xavier University.

LA Board Builds Campaign Against Proposition No. 18

LOS ANGELES—More than 250 member-delegates of the Los Angeles Joint Board, employed in plants from as far north as Visalia and as far south as San Diego, attended a full-day "Meet the Candidates" political conference on Saturday, September 27.

In a full and exciting program, delegates heard the outspoken opposition of their endorsed candidates to Proposition 18, the "right-to-work" proposition which will appear on the November 4 ballot and around which one of the most vigorous and serious campaigns in recent political history is being fought in California.

In his opening remarks, Morris Zusman, president of the Los Angeles Joint Board, indicated that it was the purpose of the conference to give the ACWA members a greater insight into the national and state issues of the campaign so that they would understand their urgency most fully and elect ACWA-endorsed candidates.

After a conference briefing by joint board education director Ruth Miller, the group was divided into four sections and from 10 a.m. until noon discussed two questions, "Right-to-Work and Other Proposed Legislation to Control Labor" and "Economic Issues of the 1958 Campaign."

At the end of the first hour, discussion leaders changed places so that each group had the opportunity to discuss both questions.

Leaders were Edward Shedlock, regional director of the Utility Workers; Richard Cartwright, education director of the United Automobile Workers; Philip Schlessinger, political scientist and candidate for the California Assembly in the Fifty-sixth Assembly District; and Richard Baisden, assistant director of UCLA Extension.

In the discussion groups, members were given an opportunity to voice their opinions and ask questions on the issues of the day.

Each member was also supplied with materials on the economic issues, specially prepared for the day, materials on Proposition No. 18 with explanations of the importance of a "No" vote, campaign literature supplied by the ACWA-endorsed candidates, car stickers, bumper strips, and the like.

Luncheon was served at noon. Delegates were seated by Congressional District and, over hot dogs and coffee, discussed with their endorsed candidates, the best methods of working in the districts and precincts to insure the election of the candidates. Each delegate also signed a pledge card indicating the type of work he or she was most interested in doing.

Following lunch, joint board manager Jerome Posner called the afternoon session to order and asked the various candidates to address the group. They were:

Congressman Clair Engle, candidate for the U.S. Senate; superior court judge Stanley Mosk, candidate for state attorney-general and a long-time and devoted friend of the Amalgamated; Congressman Chet Holifield; Congressman James Roosevelt; Glenn Anderson, candidate for lieutenant governor; state senator Richard Richards.

Also, Emery Petty, candidate for Congress in the Fifteenth District; Irving Glasband, candidate for Congress in the Twenty-second; Mel Leonard, candidate for Congress in the Sixteenth; Edward R. Roybal, candidate for county supervisor; Richard Nevins, for the state board of equalization; and Judge Evelle Younger, candidate for the superior court.

Emphasis was placed by the candidates on the importance of defeating Proposition No. 18, the "right-to-work" proposal. Over and over again they pointed out that the passage of such a law would not only tear down labor's standards in this state but that the outcome was being viewed by the rest of the nation.

William J. McSorley Jr., assistant director of the AFL-CIO Committee on Political Education, told the group that despite present adverse publicity, the American labor movement can point with justifiable pride to its progressive and consructive record.

He complimented the delegates on their activity and also the staff COPE co-ordinating committee, consisting of chairman Morris Zusman, secretary Ruth Miller, co-ordinator Harry Bloch, Griselda Kuhlman, Frank Panick, Leonard Levy, and Adel Rescili for their careful planning of the program. They were assisted by Mario Rosini, Arthur Lamla, Morris Arrons, Anthony de Chiazza, Martin Sanchez, and Lillie Mae Thomas.

The social committee, under the chairmanship of Abe Wise, efficiently handled the luncheon.

Ask your salesman to show you the Amalgamated union label when you buy men's and boy's clothing as Christmas gifts.

$ Facts About "Work" Laws

In all but one of the 18 states (Nevada) which already have "right-to-work" laws on their books, wages are lower than those states that have free unionism.

Here is a comparison of average hourly factory pay rates in 12 "right-to-work" states with next door non-"right-to-work" states. The figures are taken from the U.S. Department of Labor report of 1957.

States with no union shops		States with free unions	
Virginia	$1.61	West Virginia	$2.10
Tennessee	1.65	Kentucky	1.98
Mississippi	1.40	Louisiana	1.94
Arkansas	1.46	Missouri	1.98
Texas	2.04	New Mexico	2.19
Iowa	2.05	Illinois	2.19
Nebraska	1.87	Kansas	2.08
South Dakota	1.79	Minnesota	2.08
North Dakota	1.82	Montana	2.21
Utah	2.25	Wyoming	2.40
Nevada	2.53	Idaho	2.10
Arizona	2.25	California	2.33

Five states with "right-to-work" laws were omitted because they did not border on states with free unionism. The sixth, Indiana, just passed its law in 1957 and the comparison had not been made. The five other states with "right-to-work" laws are Alabama, Florida, Georgia, North Carolina, and South Carolina.

Pittsburgh Board Marks 20th Year: Hears Potofsky

PITTSBURGH — Six hundred active union members came from four states to celebrate the twentieth anniversary of the Pittsburgh District Joint Board at a gala dinner in the Penn-Sheraton Hotel here and converted it into an inspiring political rally for enlightened candidates in the Congressional and Gubernatorial races which will be settled at the polls in November. The gathering heard stirring recitals of the early campaign to organize the shirtworkers in Pennsylvania and the neighboring states, and heard praise from others for the great contributions the Amalgamated has made to the lives of its members, the community and the nation, in the intervening years.

Men and women came from Ohio, Maryland, West Virginia and Western Pennsylvania to celebrate the event. They represented the 6,000 members who constitute the 39 local unions affiliated with the Pittsburgh District Joint Board.

Lawrence Praises ACWA

A spirited address was delivered by ACWA president Jacob S. Potofsky, who had just flown in from Europe and Israel to participate in the festivities. He roused his audience with a discussion of domestic and foreign issues, declaring that the two great domestic struggles are in the areas of employment and civil rights, and, in the international field, the struggle for peace in the face of world tensions.

Mayor David L. Lawrence, of Pittsburgh, Democratic candidate for Governor, extolled the Amalgamated as a pioneer in the fields of social welfare, housing and a host of other communal activities. He praised the integrity of its officers and the loyalty of the membership.

John Sobczak, joint board manager who served as toastmaster, reviewed the early struggles of the shirtworkers in Clearfield, Morgantown, and a score of other communities, which joined the revolt against sweatshop conditions in the early Thirties, inspired by Potofsky and other leaders. He contrasted the then existing sweatshop conditions with the great achievements of the present, the decent wage and working conditions under the Amalgamated banner, the paid vacations, the paid holidays, the comprehensive system of health and welfare benefits, including pensions.

The Amalgamated's Julia Maietta, Democratic candidate for Congress in the 20th District, received a warm greeting when she spoke briefly on the issues of the present election campaign and expressed confidence in her success at the polls next month.

Telegrams of greetings were received from Governor George M. Leader, Democratic candidate for U.S. Senate, who was campaigning in another part of the state, and from David J. McDonald, president of the United Steel Workers of America.

In his address, Potofsky expressed his warm feelings of comradeship with the joint board organization and noted that the "size of this gathering testifies to your growth, to your strength, and to the forceful role you play in your respective communities."

In stressing the need for labor to turn out at the polls in November to support liberal candidates, Potofsky briefly endorsed mayor Lawrence's campaign for the governorship and Governor Leader's race for the U.S. Senate, concluding on the note that "if I were a resident of Pennsylvania, I could think of no civic duty more pleasant than to cast my vote for George Leader and David Lawrence on Election Day."

He also warmly supported Sister Maietta's quest for Congress noting that the ACWA would sorely miss her services "but she will make a fine member of Congress."

Discusses Recession

Reviewing the problems of the present recession, Potofsky decried attempts of reactionaries "to talk away" the recession. "The Administration," he said, "is deluding itself if it thinks it can get rid of a major recession by waving it away or pointing a warning finger at inflation. Inflation is not our problem today — under-employment is our problem, and until the Administration girds itself for a full scale attack on unemployment, the economy will continue to limp along, one industry after another suffering from recession and worse."

He called for assurances of enough purchasing power and enough jobs to put our economy back on a sound basis. These steps must be backed up by action, he said. A healthy economy requires greater unemployment compensation benefits, improvements in social security, wider minimum wage coverage scaled to our standard of living, aid to education, and more housing, Potofsky told his audience.

He also dwelt on the grave problem of civil rights in the nation with particular emphasis on the "great crisis which is being acted out in Little Rock, Ark., and Front Royal, Va., and a half dozen communities, and which has a greater significance throughout the nation and throughout the world."

Calling discrimination one of the greatest liabilities in the United States, Potofsky theorized on what Presidents Truman and Roosevelt would have done "armed with such a decision (the Supreme Court decision on school integration) during their terms in office. They would have provided forceful leadership in the Administration and in Congress to implement the decision, and they would have given the nation a moral leadership which would have been felt in every home in the land."

ANNIVERSARY CELEBRATION: On the dais at the twentieth anniversary celebration of the Pittsburgh District Joint Board, left to right, are: John Sobczak, manager of the joint board; mayor David L. Lawrence, of Pittsburgh; and Jacob S. Potofsky, ACWA general president.

Calls for Leadership

"It is a great tragedy, Potofsky said, "that our present leadership in Washington failed to take advantage of the opportunity."

He accused the Administration of evading the issue and failing to provide strong moral and governmental leadership.

Potofsky stressed the need for enlightened leadership in the government to cope with the problem of maintaining the peace of the world. "We need leadership to bring us not to the brink of war, but to negotiation and exploration of avenues of peace," he said.

He called on labor to contribute to the solution of these problems by participating whole-heartedly in the coming November elections. "We must show the same strength at the ballot box that we do at the bargaining table," he said.

"We must exert every ounce of energy on behalf of liberal and honest candidates for public office," Potofsky said. "Men and women who understand our needs, who know the story of past struggles and who sympathize with our future goals."

In his address, Sobczak detailed the growth of the Pittsburgh organization and went on to accuse the present Administration of representing the anti-labor elements of big business such as the U.S. Chamber of Commerce and the National Association of Manufacturers.

Noting that these anti-labor forces launched an attack on trade unions in the Congress and the states, Sobczak said:

"As a result of this vicious campaign, restrictive and anti-labor legislations was passed by Congress and in many state legislatures. The 'right-to-work' law is one of the most vicious. The workers in the great states of Ohio and California must turn out in great numbers to defeat this measure in November. You cannot separate politics from economics. The two must go together if we are to succeed."

At the conclusion of his address, Sobczak urged the members to take an active part in the elections and support the candidacies of Governor Leader and mayor Lawrence "because they express the deepest aspirations of the plain people of America."

Others who spoke at the dinner included Harry Boyer, president of the Pennsylvania Industrial Union Council, CIO; John Feigel, president of the Pittsburgh Central Labor Council, AFL; Anthony Federoff, president, Steel City Industrial Union Council; and Sidney Moyer of the Moyer Manufacturing Company, Youngstown, Ohio, speaking on behalf of the employers who deal with the Amalgamated.

Father Charles O. Rice delivered the invocation. Marie Georgiana, president of the Pittsburgh District Joint Board, extended greetings to those in attendance and introduced Sobczak as the toastmaster of the evening.

Earlier in the day, at a meeting of the joint board, Charles Dispensa, manager of the Scranton and Wilkes-Barre Joint Board, and Beryl Peppercorn, retired manager of the Cleveland Joint Board, were warmly applauded after brief talks.

Joint Board Affiliates

Locals affiliated with the Pittsburgh District Joint Board are:

Local 53, Youngstown, Ohio, 1936; Local 86, Pittsburgh, 1919; Local 86-A, Pittsburgh, 1952; Local 86-B, Pittsburgh, 1952; Local 118, Curwensville, Pa., 1933; Local 118-A, Clearfield, Pa., 1946; Local 118-B, Clearfield, 1934; Local 118-C, Curwensville, 1953; Local 131, Uniontown, Pa., 1933; Local 153, Gallitzin, Pa., 1933; Local 157, Barnesville, Ohio, 1940; Local 157-A, Barnesville, 1946; Local 191, Youngstown, 1936.

Local 238, Moundsville, W. Va., 1937; Local 294, Frostburg, Md., 1935; Local 305, Youngstown, 1938; Local 318, Butler, Pa., 1937; Local 347, Morgantown, W. Va., 1934; Local 354, Norvelt, Pa., 1938; Local 393, Meyersdale, Pa., 1941; Local 394, Philipsburg, Pa., 1946; Local 394-A, Philipsburg, 1955; Local 433, Connellsvile, Pa., 1946; Local 547, Coalport, Pa., 1948; Local 549, New Kensington, Pa., 1948; Local 571, Ellwood City, Pa., 1949.

Local 575, Waynesburg, Pa., 1949; Local 584, Retail Clerks, Pittsburgh, 1949; Local 595, Monessen, Pa., 1950; Local 622, Waynesburg, 1950; Local 634, Masontown, Pa., 1951; Local 637, Indiana, Pa., 1952; Local 641, Apollo-Blairton, Pa., 1952; Local 641-A, Vandergrift, Pa., 1955; Local 653, Portage, Pa., 1953; Local 673, Grantsville, Md., 1953; Local 692, Morgantown, 1954; Local 727, Madera, Pa., 1956; Local 747, Huntington, W. Va., 1958.

Members of the Pittsburgh District Joint Board and guests shown at the twentieth anniversary dinner.

Local 186 Fetes Member On Retirement

KINGSTON, N. Y.—A well-earned tribute was paid by the members of ACWA Local 186 here to Elizabeth Snyder on the occasion of her retirement.

Sister Snyder has been working in the plant of F. Jacobson & Sons, Inc., and for the past 12 years she has served the union and her co-workers as shop chairlady. She was also a member of the local's executive board and delegate to the Capitol District Joint Board, with which Local 186 is affiliated. Moreover, Sister Snyder became an active member when Local 186 was established in 1934 and practically from the first day she joined the union until her decision to retire, she worked tirelessly and relentlessly for the success of the local.

Recently, the members of the local together with the retired members and representatives of the F. Jacobson & Sons' firm tendered a testimonial dinner to her, held at Cuneo's Restaurant.

Tribute Paid by Managers

Charles J. Garrahan, manager of the Shirt, Leisurewear and Rainwear Workers of New York, and Edward Duval, manager of the Capitol District Joint Board, evaluated the outstanding work Sister Snyder has done in the many years she has been a member of the union.

Congratulations and thanks for all she has done for the local was offered to Sister Snyder by Rita Baker, business agent servicing the local. Mae Martaldo presented her with a U. S. Savings Bond on behalf of Local 186.

Sister Baker also read a congratulatory telegram from Gladys Dickason, ACWA vice-president.

Among the guests present were William Bookbinder, manager of F. Jacobson & Sons, Inc., Edward Dempski, manager of the stitching room; and Vida Prindle, forelady.

Best wishes for a long life and happiness were expressed by Bookbinder and Dempski, who also extended their thanks and appreciation for the co-operation and fair-mindedness shown by Sister Snyder in handling grievances during the years she was shop chairlady.

The arrangements committee for the dinner consisted of Jeannette Nagele, Mary Coughlin, and Katherine Myers.

Negotiations In Outerwear Are Prepared

Managers of joint boards who have under their jurisdiction shops engaged in the production of outerwear met with the General Officers on September 30 to the General Officers Jacob S. Potofagreement with the employers in that branch of the industry.

Present at the conference, in addition to the General Officers, Jacob S. Potofsky, president, and Frank Rosenblum, secretary-treasurer, were: Hyman Blumberg, executive vice-president, and vice-presidents Louis Hollander, Vincent LaCapria, Richard Brazier, Joseph Salerno, David J. Monas, and Sander Genis.

Also, Ed Schultheis, regional director, and the following joint board managers: Nick Marsella, St. Louis; Reuben Kamm, Milwaukee; Charles J. Garrahan, Shirt Makers Joint Board, New York; Charles Dispensa, Scranton-Wilkes Barre; Samuel Smith, Chicago; John Sobczak, Pittsburgh; and John Fiasconi, Boston.

Reports were submitted about the employment situation in the various outerwear markets and the prospects for the coming season. After an exchange of views and opinions it was unanimously decided to renew the agreement, and a conference will be arranged with the employers.

RETIRED WORKERS HEAR POTOFSKY: Shortly after a trip abroad, ACWA general president Jacob S. Potofsky delivered a lecture at the Recreation Center for retired workers of the Amalgamated Laundry Workers Joint Board. In the top picture, Potofsky tells of his trip. Seated, left to right, are Mrs. Simon, hostess of the Recreation Center; Louis Simon, manager of the joint board; Dr. Harry Levine, New York City health commissioner, who also spoke; Milton Arons, administrative director of the Health Center; and Odell Clark, assistant manager of the joint board. Below, retired members are shown at the lecture.

Laundry Retirees Hear Potofsky

A hearty welcome was extended to Jacob S. Potofsky, ACWA general president, by the retired members of the Laundry Workers Joint Board of New York, when he addressed their meeting on October 1. It was the inauguration of the second-year program of the Recreation Center.

Louis Simon, manager of the joint board and ACWA vice-president, joined with Mrs. Simon in welcoming every one in the audience and a number of invited guests. Mrs. Simon, the wife of the manager is hostess of the Recreation Center. He noted that of the 700 retired members of the organization the majority have taken advantage of the Center and its facilities. They have attended classes and lectures or spent the time in the Center watching TV or enjoying themselves at various appropriate games. He was proud that Mrs. Simon as hostess has done a fine job in making the Recreation Center an important institution.

Dr. Harry Levine, health commissioner of the City of New York, was the first speaker. Dr. Levine remarked that the enthusiasm manifested by the members in the Recreation Center last year shows the need for continuing it this year. He spoke of the importance of the retired members coming together and finding an outlet in this institution for their interests and creative activities. It is also important because the institution affords them an opportunity to exercise their minds, intelligence and personality, he said. Dr. Levine praised the union for the interest it is taking in the welfare of the retired people, "something that others don't do." With this he payed tribute to Mrs. Simon for the way she has been conducting the Recreation Center.

After a few words of welcome by Odell Clark, assistant manager of the joint board, Simon introduced Potofsky as the guest speaker.

Potofsky first explained the responsibilities of officers of a union and particularly of the ACWA stressing that the responsibilities of the president of the organization are especially great.

About the goals and aspirations of the Amalgamated, Potofsky explained that "we are concerned not only with the bread and butter of our members but with the economy of the country, with politics, legislation and with the social program that must be of concern to all citizens and particularly the working people."

He also referred to our relations with the communities in which the members live, and stressed that "as organized workers we believe in self-help and not in charity although we recognize that many people are in need of help by charitable institutions."

It was also pointed out by the speaker that the "Amalgamated takes an interest in international affairs and is concerned with minority groups for whom we seek justice."

Having been one of the two fraternal delegates from the AFL-CIO to the British Trade Unions Congress, held the first week in September, Potofsky briefly reviewed the deliberations at the Congress. Following this he gave his impressions of the young State of Israel which he also visited for the primary purpose of delivering a financial contribution from the American labor movement for the purpose of installing an air conditioning system in the Philip Murray Building, that has been established in Israel as a memorial to the late president of the CIO.

Potofsky told of the achievements of the State of Israel in its first ten years of existence and gave an evaluation of it as the arsenal of democracy in the Near East.

It was stressed by Potofsky that in England as well as in Israel he found no desire for war and told of the pressure on the government that is being exerted by the British Labor Party and trade unions not to get involved in any war.

Potofsky then turned his attention to the election to be held in our own country on November 4th. He explained that the outcome will have its effect on minimum wage legislation, social security, etc.

Noting that the present Republican Administration and the money barons are trying to give the impression that we have prosperity in the country, Potofsky pointed out that there is no sign of prosperity in the factories. Such problems as the economy of the country, minimum wage legislation, social security, and unemployment can be solved only by an Administration and leadership that is concerned with the welfare of the wage earners and of the nation as a whole, he stressed. It is a sad commentary on our country that under the present Administration we have some 5 million workers depending on relief and unemployment benefits. This can be remedied only by a change in the national Administration and to bring about such a change people must register and vote, Potofsky emphasized.

He also dealt with the matter of ethical practices in the labor movement. He was emphatic in stating that there is no room in the labor movement for crooks or dishonest people. The labor movement is basically an idealistic movement and it must be kept clean, which is the aim of the AFL-CIO. For that purpose the united labor movement promulgated codes, and he was glad to report that these codes are being adopted by more and more affiliates of the AFL-CIO.

Potofsky concluded by extending congratulations to the officers of the joint board for their achievements, pointing out that they brought order to an industry where chaos existed.

He urged the retired members to continue their "interest in the organization which is interested in you."

Introduced for bows at the opening of the session were Ida Daniels, from the New York Welfare Department, assisting Mrs. Simon in handling the Recreation Center; Milton Arons, administrative director of the Amalgamated Laundry Workers Health Center; Jack Harris, of the joint board's insurance department; staff members, and Jean Maxwell, former professor of social work at N.Y.U. and presently doing work for the National Committee for the Aging.

NY Laundry Wages and Some Insurance Provisions Raised

The delegates of the Amalgamated Laundry Workers Joint Board, at the meeting on October 2, were told by Louis Simon, manager and an ACWA vice-president, that the members received another wage increase and improvements in insurance on September 22, in accordance with provisions in the agreement negotiated with the various employers' associations of Greater New York in November, 1957.

Simon related that as the deadline approached for these additional improvements, representatives of all the associations requested that for the time being the union should agree to a delay. They based their request on the unsatisfactory business conditions in this service industry.

The union rejected their request after a joint study of conditions in the plants established that there was no justification for it.

The 1957 agreement, which remains in effect until December 1, 1962, provided for a series of increased minimum wage rates, part of which became effective on January 6, 1958, and an additional increase plus insurance improvements for some categories of workers to become effective on September 22. These new increases are as follows:

Inside production workers in the hand laundry division, except markers and sorters, received 5 cents an hour up to a maximum of $2 a week. The weekly wages of markers, sorters, and drivers were increased by $2 a week.

Other Rate Changes

The inside production workers in the other divisions received an increase in pay and hourly minimums of 5 cents per hour. The guaranteed weekly wage for female production and store workers in the family and wholesale division were increased to $39, and to $42 a week in the linen, flatwork and diaper divisions.

Wage rates and minimums for non-commission routemen in the linen, flatwork, and diaper division were increased by $3 a week.

For commission drivers in the family division, the guaranteed weekly earnings, based on a six-month average were increased to $70 a week.

Wages and minimum rates for engineers and maintenance men went up 10 cents an hour.

Office workers, who are now 100 per cent organized in the plants operating under union contract, received a wage increase along with an increase in the basic minimums of up to $2 a week. The statutory weekly minimum for office workers, as a result of this new increase, is $42.

Insurance Changes

Improvements in insurance benefits in certain categories also became effective on September 22. Workers employed in contract shops under union jurisdiction for at least three years and with earnings before September 22 of not less than $50 a week and up to $75 will be covered by $2,000 in life insurance. If their earnings were $75 a week and more, the insurance coverage was raised to $3,000.

The agreement also guarantees one more wage increase, effective on January 4, 1960.

Reporting on the recent increases, Simon emphasized that the present agreement was signed at the time when the industrial situation was disadvantageous to the union and the recession's effects were being felt.

The employers strenuously resisted the union's demand for improvements. All these obstacles were overcome, because Simon said "we have a unified, solidified and loyal membership and the employers knew that it was ready to support the demands with their organized power."

Report on Organizing

Continuing his report, Simon spoke of the organizing activities of the joint board and the great difficulties being encountered. He reported that employers are now taking advantage of the contaminated atmosphere created by the enemies of labor by using the disclosures by the McClellan Committee about graft and corruption in a few unions to create antagonism against all unions.

The employers now find it easier to get help from the courts. They are taking advantage of the Supreme Court decision that gave states the rights to impose penalties on unions — penalties that can ruin them financially.

Simon also pointed out that President Eisenhower gave encouragement to anti-union employers with his statement that it is up to the states to do as they please about "right-to-work" laws and the Federal Government has nothing to do with their decisions.

From this, the joint board manager declared, must be drawn the conclusion that labor must increase it political activities and, in the coming election, vote for candidates who will serve the interests of the workers in Congress, governor's office and state legislatures.

Discussing the depressed situation in the laundry industry in Greater New York, which adversely affects particularly the commission drivers, Simon spoke of the labor-management program initiated by the joint board and carried on jointly with management.

Sales Methods Being Taught

He said that classes were established to teach modern sales methods and a professor in this field was engaged to instruct the drivers in sales methods in an effort to increase the amount of work and their earnings.

Simon also discussed the viciousness of "right-to-work" laws, the question of desegregation in schools, with special reference to Little Rock, and related matters.

Speaking about the union's health center, Simon stressed its importance and how valuable an institution it can be if the members take advantage of its marvelous services.

He urged the delegates and staff members to speak to the people in the plants and explain to them that they will protect their health and prolong their lives if they use the facilities of the health center.

Odell Clark, assistant manager, related his experience in the drive to organize the unorganized. Clark spoke, too, about the difficulties explaining that they can be overcome if all members will cooperate with the officers. He joined Simon in urging the members to register if they have not yet done so, and to vote on November 4.

Roger Douglas, president of the joint board, chaired the meeting.

New Pact Signed In Rawlings Shops

ST. LOUIS, Mo.—Important new provisions incorporating substantial improvements were negotiated in the agreement that has just been renewed between the Amalgamated Clothing Workers of America and the Rawlings Sporting Goods Company, covering some 900 members employed in the firm's plants in St. Louis, Newburg, and Licking, Mo. The plants are in the area under the direction of Richard Brazier, ACWA vice-president, who conducted the negotiations together with Nick Marsella, manager of the St. Louis Joint Board; Ralph Troisi and Clethra Divinagracia, business agents; and committees of workers from each of the three plants.

The new agreement will be in force until June, 1961. While no general increase was obtained, the agreement included such provisions as elimination of inequities that existed among the time workers in various classifications. This resulted, Brazier said, in wage increases ranging from 5 to 20 cents an hour affecting approximately 150 time work employees in the three plants.

Increases for New Employees

The company also agreed to a progressive system of increases for new employees, specifying a 7 cents an hour increase after 30 days' employment, after which they are required, under the union shop agreement, to join the union. Following that, an increase of 5 cents an hour will be given them each 90 days until the top scale in each classification is reached.

The agreement also provides for an automatic wage increase of 5 cents per hour to all employees, effective September 1, 1959, and for a reopening of the welfare program. On any or all economic issues, the agreement can be reopened in September, 1960.

Among the other improvements gained by the union are a seventh paid holiday and a third week's paid vacation to employees with 12 years of service instead of 15 years as was the case heretofore. The firm also agreed to a jury service pay clause whereby an employee will be paid the difference between what he receives as a juror and what he would have earned in the plant.

All details of the agreement were reported to the members of the St. Louis plant by Marsella and Troisi at a meeting on September 24. The pact was unanimously ratified. The agreement was presented to the workers in the Licking and Newburg plants by Sister Divinagracia and was likewise unanimously ratified.

Serving on the negotiations committee from each shop were Glenn Counts, Ernie Whitmore, James Parrish, Irene Whitener, Eve Allen, Daisy Bush, Dorothy Schroeder, and Mike Salamone, St. Louis plant; Vernon Ingram, Alta Mitchell, Avery Ormsbee, and Velema Robertson, Licking; and Don Yelton, Alice Alexander, and Geneva Burris, Newburg.

Do you have a union label in your suit or shirt? (Check the inside pocket in your suit jacket and the tail of your shirt.)

Willow Springs Workers Sign ACWA Cards

WILLOW SPRINGS, Mo.—The Willow Springs plant of the Rawlings Sporting Goods Company is on the threshold of being brought under collective bargaining agreement with the Amalgamated. Negotiations for a contract are to commence shortly.

Workers in the company's three other plants are enjoying the benefits of an ACWA contract.

On September 19, Richard Brazier, ACWA vice-president and director of the St. Louis region, assigned Gladys Cohn and Ruth Kincy to organize the Willow Springs' workers. After contacting a number of Rawling's workers, a meeting was held on September 21 to form an organizing commitee.

On the following Monday morning, a leaflet, with an application card attached, was distributed to the workers in the front of the plant, advising them of the benefits being enjoyed by the workers in the firm's other three plants operating under a union agreement.

Mass Meeting Held

By noon on the same day, 45 workers had signed union application cards. Their number was doubled on the following day. At the request of the workers a meeting was held on September 27 at the American Legion Hall. It was addressed by Ralph Troisi, business representative of the St. Louis Joint Board, who services the St. Louis plant of that firm. About 150 workers attended.

Troisi explained the benefits being enjoyed by the workers in the firm's three unionized plants, such as paid vacation, paid holidays, insurance coverage, retirement pension, and pay for jury service. Troisi told of the other clauses in the standard Amalgamated agreements that guarantee time and one-half pay for overtime work, four hours' reporting time pay, grievance adjustments, arbitration, etc.

The organizing committee reported that 175 out of approximately 230 workers had signed union application cards. On the basis of this report a negotiation committee was elected, composed of Doris Finley, Ted Elmore, Gene Freeman, Mabel Durbin, and Ira Dougherty.

Following this, Brazier met with the firm regarding union recognition for the Willow Springs plant. The company agreed to a card check. If it shows that a majority is for the ACWA, a date will be set for negotiations.

Textile Workers To Seek Pact From the Inside

The textile workers, on strike against the P.H. Hanes Knitting Company in Winston-Salem, N.C., have voted to return to work and continue their campaign for a union contract from inside the plant. At the same time, the Textile Workers Union asks support of AFL-CIO affiliates in continuing the boycott of Hanes products "until such time as the company stops its union-busting activities."

The products, which labor has been asked to boycott, are Hanes T-Shirts, Hanes Underwear and Hanes Hosiery.

The workers are continuing their fight to secure a decent contract with the company. Thus far, the firm has refused to sign a new agreement containing provisions for arbitration and the checkoff, although these provisions have been a part of the contract in the plant for the past 14 years.

In asking the support of organized labor to boycott Hanes products, the Textile Workers Union expressed confidence that the effect of such a program will ultimately succeed in making the company "come to terms."

Dean Griswold Discusses Union of South Africa

Government Uses Apartheid To Exploit Labor, Suppress Freedom, Deny Human Rights

By C. Edmund Fisher

At this very moment, 91 lawyers, doctors, clergymen, teachers, workers, and housewives in the Union of South Africa are on trial for their lives. The charge is treason. Their "crime" is peaceful opposition to the government's policy of apartheid, or white supremacy in the strictest sense. They want only democracy.

Who are these defendants? What have they really done? What are they fighting for? What social and legal significance does this cause celebre have for the rest of the world, many of whose leading peoples have expressed shock and dismay over the Union of South Africa's deliberate plunge into the jungle of racism? And what, if any, parallel situation exists in the United States?

The Sidney Hillman Foundation, established in memory of the Amalgamated Clothing Workers of America's first president, sought answers to those questions. Under its sponsorship, and with the cooperation of the American Committee on Africa, Erwin N. Griswold, dean of he Harvard Law School, went to the Union of South Africa this past summer and spent more than a month in concentrated study.

What he found in private conversations with government and opposition leaders, with legal authorities and the men-on-the-street of the various races, and from poring over more than 10,000 documents submitted as evidence — from all these sources he established basic opinions that he expressed at a press conference in New York City on September 30 and at a luncheon for civic leaders the following day and sponsored by the Sidney Hillman Foundation and the American Committee of Africa.

"You have to see it to believe it," dean Griswold said of oppressive human conditions in South Africa. Yet, from his remarks a clear cut picture can be drawn of the painstakingly conspired anti-social structure existing in that dominion within the British Commonwealth.

Outlook Is Bleak

One thing stood out sharply — the outlook for a reversal of the government's position on apartheid is extremely bleak. In fact, by law, the minority white group (it numbers less than 3 million out of a population of 13 million) has so rigged the framework of apartheid since it swelled into a major issue 10 years ago that it is virtually impregnable.

Armed revolt as a means of achieving democracy is virtually impossible. Under the law, only the whites have guns. Also, they make up the police and armed forces, and, of course, the government. An African or colored (a person of mixed descent) faces severe punishment for possession of firearms.

On top of that, most of the key opposition leaders — whites, Negroes, and Indians — are immobilized and will be that way for a long time to come by the very nature of their being on trial.

Suppression of fundamental human liberties is the crux of apartheid. "Licensed peonage" is what dean Griswold called it.

An African worker may not join a union, may not strike, may not quit his job, and may not stay home from work for a day or so. If his absence is due to sickness, he must prove it. If he can't he is subject to arrest.

"This country's economy is built on exploitation of labor," dean Griswold explained. An unskilled worker earns about $8 a week. A miner collects about 50 cents a day, plus lodging and medical care.

An African must carry his "reference book." This must contain the signature of his employer and proof of tax payments. Natives frequently are stopped by police for book inspection. Lol the poor soul who doesn't have his reference book or if it is not in order. He is promptly arrested.

This is the background of the inhuman conditions that prompted a handful of daring individuals to speak out against the government's policy of beating down some 80 per cent of the people living in South Africa.

Gestapo Tactics Jail Innocent

On the night of December 4, 1956, these leaders went to their beds in the four provinces of the 48-year-old dominion unaware that their time for freedom was numbered in hours. As the dawn broke the next morning, they were roused and trundled off to incarceration in Johannesburg in a series of raids that smacked of gestapo secrecy and suddenness.

For the next 13 months, while free under bail, they nonetheless underwent day-in-day-out questioning in preliminary hearings. Sixty-five were released, but 91 went to trial this past August 1 in the capital city of Pretoria. Dean Griswold feels that the trial will last a year, possibly longer.

It is dean Griswold's opinion that the trial itself will be fair, and that, most likely, none will get the death penalty from the three-judge court, which, like the country itself, operates under minority rule. A not-guilty decision by only one jurist automatically frees the defendent.

However, the court's conclusion must depend ultimately upon the law, and the law is most oppressive. As a general pattern, he pointed out, whenever South African courts do make a liberal decision concerning the civil rights of the people, the legislature then passes a law which negates the decision.

The treason charges against the defendents were based on their convening a Congress of the People, which adopted a freedom charter along democratic principles, and for speeches and writings against the Native Resettlement Act, the Bantu Education Act, and the Group Areas Act. Those laws established living and work ghettos, put schools under government control and closed missionary schools for natives. A charge of communism has since been dropped.

During the four years preceding their arrests, no acts of violence were committed by the leaders, dean Griswold said. In fact, the tenor was against violence in favor of peaceful opposition.

Feeding Ground For Racists

Because these people were jailed simply because of their outspoken demands for democracy, individuals and groups in other democratic nations have lifted indignant voices. They see in this suppression of civil liberties and rights a feeding ground for racists elsewhere, plus a first class talking point by communists in the underdeveloped countries of Africa and Asia.

The ruling minority group in the Union of South Africa is sensitive to this, dean Griswold said. Despite its blustering — and boycotting many United Nations sessions dealing with the problem and quitting the UN's Educational, Social and Cultural Organization about two years ago — this minority group is on the defensive.

Dean Griswold noted that dominion newspapers give as much, if not greater, space to Little Rock and other integration problems in our own South as they do to their own treason trial. This, he said, is obviously a defensive mechanism in an attempt to show that other people in advanced societies, such as that which exists in the United States, practice segregation.

Although there are extremists in the U.S. who would revel in being able to establish a white supremacy form of government here, he feels that their ever doing so is quite remote because of legal safeguards.

Dean Griswold pointed out that there are vast legal differences in the United States and the Union of South Africa. Here, there is the Bill of Rights, due process under the law, and habeas corpus proceedings. In South Africa, there is no bill of rights and no due process, while habeas corpus is more of a gesture than a reality in assuring that a person can be released from jail.

He asserted that another primary difference between the two countries is in education. Well over 60 per cent of the dominion's population, he said, is African. Of that population majority, he estimated that 90 per cent is primitive and without classroom education. The urbanity of the remaining 10 per cent ranges from low to high.

Indians Are Persecuted

He noted also still another group, known as the colored, who are of mixed descent. These are in the minority, and suffer the same indignities from apartheid. He pointed to the plight of the Indians, practically all of whom are second and third generation residents of the Union of South Africa. These people, he said, have been the leading traders. Now, under apartheid, they are practically stripped of their livelihoods.

"What is being done in South Africa," he said, "is morally unsound. I can add that it is sociologically unsound."

He urged that every civilized person —that is, individuals with a basic education—be given the right to vote. This attitude parallels the liberal view in South Africa, but as it stands now, liberals are few and far between. Even many who oppose the government keep quiet, fearful that they, too, will be arrested for treason.

A drawback to cultural advancement is of course the fact that so few people have a book-learning background, with the result that an articulate, yet bigoted, populace has taken command.

While dean Griswold said that South Africa's only hope for a democratic form of government is through a drastic change in educational and economic methods, he could draw no hope that such a reversal would come in the foreseeable future.

One possibility of a change could stem from the sensitivity of the white minority about world opinion. While dean Griswold did not explore that avenue during the interview, nevertheless there is hope, admittedly slender, that a strengthening of world opinion could break through the pigmentation curtain that the white minority in the Union of South Africa has so deliberately and ruthlessly drawn around itself.

ACW Wins Election In LA Shop

LOS ANGELES—Workers employed by Valley Togs, a men's sportswear plant located in Van Nuys, by a vote of 43 to 34, favored affiliation with the Amalgamated Clothing Workers of America in an election conducted by the National Labor Relations Board on September 23.

Valley Togs is a division of the firm of George Aftergood & Son, which also manufactures in Los Angeles proper.

On being informed of the victory, Jerome Posner, manager of the Los Angeles joint board, said, "We are very pleased with the fact that the workers of Valley Togs are anxious to be covered by the benefits made possible through unionization. We will make every effort to consummate a union contract as quickly as possible so that our new members will be able to enjoy such union benefits as paid holidays, paid vacations, insurance benefits, union security and the other improvements already enjoyed by the 7,000 Amalgamated members in this area."

Organization director Griselda Kuhlman and organizer Antonio Pena conducted the campaign on behalf of the union.

Clark Put On Housing Panel

Odell Clark, assistant manager of the Amalgamated Laundry Workers Joint Board, was appointed by mayor Robert F. Wagner of New York City as a member of the Fair Housing Practice Panel authorized by the Sharkey-Brown-Isaacs Law.

The law makes illegal any discrimination because of race, color, religion or national origin in the sale or lease of multiple dwelling housing space and one and two-family housing developments of ten or more units.

The panel will serve as an appeals board to review cases of alleged discrimination or segregation in violation of the law. The members will serve without pay.

Other members of the panel named with Clark are: Max Abramovitz, architect; Victor F. Condello, lawyer; Morris Crawford, Jr., bank vice-president; The Reverend Edler G. Hawkins, Presbyterian minister; Lazarus Joseph, former New York City controller; Rabbi Edward E. Klein, of the Stephen Wise Free Synagogue; James S. Lanigan, lawyer; Paul O'Keefe, president of a real estate firm; Lawrence W. Pierce, assistant district attorney; Mrs. Jerome L. Strauss, women's club president; and Mrs. Ronald Tree, former director of the National Urban League.

The Education Department Reports:

Jersey Local Works Up $ Campaign for APEC

An illustration of how to help raise voluntary political contributions by using new methods was given recently in Local 126, Elizabeth and Perth Amboy, N.J. Manager James Messina and Connie Petio, business agent for the local, consulted with the ACWA national education department in order to present a new way of collecting APEC (Amalgamated Political Education Committee) dollars. Emil Starr, national educatoin director, met first of all with the shop chairmen from all the various shops in those cities. He explained to them the functioning of APEC—how the monies are spent — and impressed on them the need for political action and education in view of the drive by big business, now in the open, to fight organized labor's political role.

He discussed with them at length the do's and don't's of raising dollars in the shops and how specifically to use the new APEC leaflet that is available for general distribution to all locals and joint boards.

In it, labor's program for a better America is described. Armed with the leaflets and information concerning APEC, the shop chairmen proceeded to circulate the APEC books in the shop.

Labor In Politics

The following week a stronger effort was made in Elizabeth and Perth Amboy at local and shop meetings. The film, "Labor's Witness," was shown to the general membership. This film, produced by the United Auto Workers, shows president Walter Reuther defending labor's right to participate in politics through registration drives, endorsement of candidates and financial contributions before the Core Senate Subcommittee on Election Expenditures.

Starr led a discussion on the film and pointed out the tremendous drive that big business is putting on this year in behalf of the candidates of their choosing.

For example, he said, Gulf Oil Co. had sent a letter to its 151,000 stockholders, dealers and executives in which senior vice-president Archie Gray stated:

"If we are to survive, labor's political power must be now opposed by matching force, and there is no place in the U.S. where such a force can be generated except among corporations that make up American business."

Starr also pointed out the manner in which the labor movement endorses candidates on their record in Congress rather than on any political stripe or label.

Messina also spoke at these meetings and announced that Harrison (Pete) Williams, Democratic candidate for the U.S. Senate and endorsed by the state CIO, would soon visit the shops. He praised Williams' record in the Eighty-third Congress and alluded to Republican Congressman Kean's opposition to a meaningful unemployment compensation bill in the House of Representatives. Kean is the GOP Senate candidate.

Messina also described the efforts of big business, through the Chamber of Commerce, to promote "right-to-work" laws in six more states, that hate merchants such as Joseph Kamp are attracted to the bandwagon of Senator Knowland's gubernatorial campaign in California because of their mutual hatred of labor. This type of smear campaign is reminiscent of the campaign levelled at the late president of the Amalgamated, Sidney Hillman, when he headed up the CIO-Political Action Committee in 1944. Messina said that the American worker is too clever to be fooled by this type of fear propaganda.

Messina reported that the APEC campaign was successful this year and that collections were made a good deal easier for the shop chairmen by the explanation of labor's political role and the stake that working men and women have in politics.

DISCUSSING APEC: James Messina, manager of Local 126 in Elizabeth and Perth Amboy, N. J., stresses the need for increased political activity and why members should contribute to the Amalgamated Political Education Committee. Seated, left to right, are: Ann Rotolo secretary; Ann Van Someran, president; Connie Petio, business agent; Emil Starr, ACWA national education director; and Ann Roscoe, treasurer. Below, Sister Rotolo (second from left) discusses new APEC pamphlet with members Mary D. Trolio, Frank Berrios, Maggie Walton, and Ida Heck, left to right.

Hathaway Pact Renewed For 3 Years

WATERVILLE, Me.—Among the latest events in the life of the Amalgamated organization in New England, under the direction of Joseph Salerno, ACWA vice-president, is the renewal of agreement with the shirt-producing firm of C. F. Hathaway Company.

This firm has plants in Waterville and in Lowell, Mass. They have been operating under a union agreement for many years and the relationship between the union and the firm is of a very high calibre. It is, therefore, no surprise that the renewal of agreement was consummated through peaceful negotiations that were carried on in both cities.

The agreement is for a three-year period. The conditions prescribed follow the pattern set by the national negotiations between the Amalgamated and shirt manufacturers throughout the country. The most important provision is that the question of wages and fringe benefits can be reopened on February 1, 1959, and on February 1 of each succeeding year.

Another provision is for a joint labor-management study of severance pay and continued studies of the insurance and retirement programs with a view of reaching a settlement for necessary improvements.

The terms of agreement renewal were discussed by Salerno with 55 officers and executive board members of the six Amalgamated locals in Maine. This meeting was held the night before the conference between the union and the firm so that Salerno, who headed the negotiating committee of workers in the plants, had a clear understanding with them on terms to be agreed upon.

At this meeting Salerno saluted the members of the six locals for the sizeable contribution they made to the election of liberal candidates in that state.

The agreement with the Hathaway company was presented to the employees at a special meeting at which unanimous ratification was voted. The meeting was opened by Rodney Tupper, of Local 486. Guy Capizzi, business agent servicing these shops, presided.

Capizzi assisted Salerno in the negotiations together with a committee of workers comprising Tupper, president; Raymond Best, secretary-treasurer; Vince Arsenault, chief steward; Hilda Pepin, Andrew Pepin, Miss Louise Meunier, Marie Barber, Edna Doyon, Madeline Hamilton, Richard Boutin, Lucille Roy, Lionel Duperry, Yvonne Lampron, and Loretta Jones, for the Waterville plant.

For the plant in Lowell, the negotiating committee, that was headed by Salerno, included Ruth Sullivan, president; Richard Roberto, vice-president; Eleanor Brennan, secretary-treasurer; Dorothy Parker, Cecile Roy, Edna DuCharme, Margaret King, Dora Medina, Grace Eklund, and Jane Smith.

Besides the ratification of the agreement by the Hathaway employees, it was also unanimously ratified at a special meeting of the local.

A dinner, with Alvaro Ferreira, business agent, presiding, followed the education conference. Dancing completed the evening.

HATHAWAY PACT: Participating in the signing of the new three-year agreement are, left to right, seated: Rodney Tupper, president, Local 486; John W. Kennedy, vice-president of Hathaway; and Joseph Salerno, ACWA vice-president and New England regional director; standing, Raymond Best, secretary, Local 486; Guy Capizzi, business agent; and Vince Arsenault, chief steward, Local 486.

Julia Monas Dies; Pioneer in Penna. Shirt Organizing

The General Officers, members of the General Executive Board, and officers and the entire membership of the Pennsylvania Shirt Workers Joint Board were shocked by the sudden death of Julia Monas, the wife of David J. Monas, manager of the joint board and an ACWA vice-president.

Jule, as she was affectionately called by all those with whom she was associated in the organization, died late Monday afternoon, October 6, in New York Hospital, New York City.

She was taken to the hospital on Sunday with what was supposed to have been a virus, from which she had been suffering for several weeks. She took a turn for the worse the following morning and died later in the day.

Julia Monas

The late Sister Monas was born on February 5, 1902, in Poland and went to Canada with her parents as a young child. The family settled in Oshawa, Ontario, where Jule received her elementary education. She later studied in the University of Toronto. Not only was she a good student, but was dynamic and imaginative.

In the middle 1920's she became an organizer for the Amalgamated Clothing Workers, filling assignments in various cities. As she spoke fluent Polish, her services were particularly valuable in situations where the union had a considerable number of Polish clothing workers.

In 1932, the ACWA initiated an organizing drive among the shirt workers in Pennsylvania. Jule Lesnick, which was her maiden name, was among the first organizers assigned to that drive. She was in the real sense a pioneer of the shirt makers' organization in that state, requiring on her part remarkable courage and fearlessness. The foundation for it was laid at a meeting in her house.

Even the brutality of Pennsylvania's mounted police of that time couldn't frighten her, nor would she be intimidated by the unscrupulous employers of those days.

On picket lines, at meetings of strikers, and among the shirt workers in general in that area, she quickly established herself as one of the highly respected and admired union representatives.

When the first local of shirt workers was organized in Allentown and an office was established, from which the organizing drive was directed, Jule became business agent and was placed in charge of the office. She continued to serve in that capacity for some years after Monas became manager of the joint board. They were married in 1935.

She later relinquished the office, but her keen interest in the organization and its activities continued until her death.

Side by side with her husband, she was always ready and anxious to assist in whatever work she could make herself helpful. It can be truly said that the joint board's Recreation and Cultural Center in Cornwall, Pa., is her creation.

Her husband sustained a tragic loss in her death, as did the Pennsylvania organization and the Amalgamaated as a whole.

In addition to her husband, Sister Monas is survived by her mother, Mrs. Balbina Lesnick, of Oshawa; three brothers, Edmund, of Centralia, Ontario, and Kashmir and Edward Lesnick, of Oshawa; and three sisters, Mary Mayshack, who is in charge of the joint board office in Allentown; Stella Attersley, of Winnipeg, and Victoria Shellenkoff, of Oshawa.

The leadership of the Amalgamated, in behalf of the membership, extended sincerest sympathy to the family.

Funeral services were held on Thursday, October 9, in Allentown, at which time the deceased was eulogized by Jacob S. Potofsky, ACWA general president, and others. She was buried in Oshawa.

TAKING THE OATH: Massachusetts Governor Foster Furcolo administers the oath of office to ACWA vice-president Joseph Salerno as Mrs. Salerno smiles happily. Salerno was appointed to the Massachusetts State Board of Education by the Governor.

Salerno Named To Board Of Education in Mass.

BOSTON—Honor was paid indirectly to the Amalgamated Clothing Workers of America through Joseph Salerno, vice-president, when he was appointed by Massachusetts Governor Foster Furcolo to the Massachusetts State Board of Education. Salerno is also ACWA New England regional director.

Outstanding is the fact that the appointment of Salerno to the state board of education is the first one ever made in the New England area of a labor leader to this board. It represents another example of Governor Furcolo's liberal program in all walks of life.

It is recognized that in appointing Salerno, the governor also honored the board of education in that the Amalgamated vice-president has devoted much of his life to encouraging the growth and development of the educational system.

It is also recognized by those who worked with Salerno through the years of his participation in Amalgamated activities and in the general labor movement that he will make a real contribution to the state board of education because he is well versed on political and economic matters. He is a man of independent thinking, well read and never relaxes in his activities.

Governor Furcolo's appointment met with popular response from leaders in labor as well as civic leaders.

This was confirmed by the many congratulatory letters, telegrams and telephone calls Salerno has received on his appointment to the state board of education.

The Massachusetts Board of Education is the major agency for administering a budget of over $75,000,000 per year. It sets policy for 11 colleges and universities and all of the school system of the State.

In addition to the presidents and professors of the various colleges over 36,000 school teachers in the state look to the board of education for guidance.

From the early days of the labor movement when labor led the fight for free public schools to the present time, unions have taken a strong interest in public education.

Salerno's appointment is a recognition of the high regard in which he is held.

Present when Salerno was sworn in by Governor Furcolo, in addition to his wife and his son, Guy Salerno, were a large crowd of well wishers including among others: Hugh Thompson, AFL-CIO New England regional director, and Mrs. Thompson; J. William Belanger, president of the Massachusetts State CIO Industrial Union Council and Mrs. Belanger; Joseph Fiascone, manager of the Boston Joint Board and Mrs. Fiascone; Salvatore Camelio, New England director of the United Rubber Workers; Earl Riley, president of District No. 1 of the IUE; Paul Loreck, secretary-treasurer of the Boston Joint Board; Al Clifton, legislative agent; Joseph Cass, political action director; and Berry Aronson, community services representative, all of the Massachusetts State CIO Industrial Union Council; Guy Campobasso, business agent of the Boston Joint Board; Val Murphy, business agent of the Utility Workers Union; Arthur DiPietro, organizer of the Auto Workers; Dolores Umana, secretary to Governor Furcolo; and Harvey L. Friedman, New England education director.

Local 4 Reports High Registration

A strong appeal to register and vote in the November 4 election was made at a membership meeting of New York Clothing Cutters Local 4 by Samuel Cohen, manager.

An overflow crowd attended the meeting on October 2 in the auditorium of the Shirt Makers Joint Board. Sy Nathanson presided. The minutes of the previous meeting and of executive board meetings were read by Harry Ellan, recording secretary.

Cohen reported that the industrial situation is far from satisfactory. However, all cutters have jobs, even though there are some shops where work is lacking. He reminded the shop chairmen that they must not be negligent about reporting to the office about the work cut. This must be done before the work is made up in the tailor shops.

Cohen also instructed the shop chairmen to be prompt in reporting people laid off so that their vacation pay can be collected.

Needle trade classes have been started, Cohen said, advising the cutters wishing to attend to register immediately.

In connection with forthcoming elections, Cohen noted that in spite of assurances by government agencies that unemployment is decreasing, there are still more than 5,000,000 out of work, and the cost of living is higher than ever. The government is doing nothing to alleviate the situation.

This, he explained, is because "we have a government by and for big business. It is tragic that we have a government with a President at the head of it who doesn't know how to stop a recession that was created by their own people."

While this is going on, the reactionary forces keep on attacking the labor movement, Cohen said. They are making every effort to have Congress adopt stronger anti-labor legislation than Taft-Hartley, he said. He also referred to the fact that corruption in a few unions is being used by the enemies of labor to discredit all unions.

Cohen said that the way to counteract this is to make the people realize that the labor movement as a whole is clean and idealistic, and to make the workers understand that, to protect their unions, they must be active in the political field as they are in the economic field.

"The laws we get in the future depend on who is elected to Congress," he stated. "This can be determined by the people themselves, and the one way to elect proper representatives to protect the interests of the working people is for the workers themselves to register and vote."

Cohen stated that a checkup showed that a good percentage of members of Local 4 are registered. However, this is not good enough, he said.

Cohen reminded the members that an election campaign can be carried on successfully only when sufficiently financed. He urged the members to live up to their pledge of making a voluntary contribution of $2 to the Amalgamated Political Education Committee (APEC).

Politicos

Potofsky on Visit Abroad—

Labor Government In England Soon, Israel Impressive

An early return of a labor government in England and almost unbelievable progress in Israel were among the impressions Jacob S. Potofsky, general president of the Amalgamated Clothing Workers of America, brought home from a trip abroad.

Potofsky and George M. Harrison, president of the Railway Clerks, were in England as fraternal delegates from the AFL-CIO to the British Trades Union Congress. Later, they went to Israel to participate in the dedication of the William Green Cultural Center in Haifa. They also were the first official AFL-CIO delegation to Israel since the state was founded 10 years ago.

Before returning home, Potofsky also stopped off in Italy, where he made a representation to the Italian Government in behalf of the Organization for Rehabilitation Through Training (ORT), to which the Amalgamated has contributed regularly.

As a fraternal delegate, he addressed the Trades Union Congress at Bournemouth (see "The Advance," September 15, 1958), and observed the British trade union movement in action at a convention.

British Labor Powerful

"British labor," he said on his return to New York City, "is a powerful movement, and I would not be surprised at all to see a labor government in Britain in the near future."

With unemployment rising in Great Britain, the trade union movement there, as the AFL-CIO has done in the United States, offered constructive solutions. British labor takes considerable interest in international affairs and in the International Confederation of Free Trade Unions, Potofsky said as he drew another parallel between the British and American trade union movements.

"British unionists," he stated, "are concerned over Quemoy and Matsu lest we get into another war."

One difference between the two movements is found in operational structure, he said. "Here, many of the issues are thrashed out in committee with a minimum of floor debate. In the Trades Union Congress, considerable time is given to floor debate before resolving the issues."

Potofsky had several talks with the leaders of the National Union of Tailors & Garment Workers — J. E. Newton, Davis, Dame Loughlin, the delegation of the garment workers attending the TUC. They tendered a dinner in his honor at Bournemouth.

He reported an interest in the Amalgamated's union label. As the British people more and more accept the media of advertising, the Tailors & Garment Workers' executives are considering the introduction of a union label and expressed a keen desire to get the facts on operations of the union label in the United States.

Potofsky was in England during the race riots and observed that British courts handed down severe punishment to the individuals involved.

He and Harrison went directly to Israel to participate in the William Green Cultural Center dedication. The building will serve Haifa's 160,000 trade unionists. It was named in honor of the late AFL president.

"We were both impressed with the astounding progress made by that tiny bastion of democracy in the Middle East," Potofsky said.

"The success in developing a nation, a language, strong army, and a democratic, stable labor movement is outstanding evidence of what can be accomplished by a people devoted to a cause, principles, and ideals of establishing a homeland for the Jews.

"I was in Israel nine and a half years ago and it is beyond comprehension what the people have since accomplished."

Recalling that he walked "the same road that Moses did on his way from Egypt to Mt. Sinai," Potofsky said that he "witnessed the installation of the new oil pipeline and I saw sturdy men actually moving mountains to establish the new port of Elath. The Philip Murray Community Building is the center of all activities. It overlooks the Red Sea.

From Desert to Fertile Soil

"They have virtually converted the rock and the sand that had lain idle for centuries into fertile soil. They produce fruits and vegetables and, in the cities, manufactured goods not only for themselves but for export. They are now busy converting the desert into thriving communities.

"Not only have the people of Israel vitalized the barren land and built industries, but they have also welcomed the refugees from all over the world; and these refugees have become an integral part of the life and commerce of the country.

"Everywhere we sensed a feeling of optimism and confidence," Potofsky went on. "Everywhere we felt an urgency to accomplish the impossible, and everywhere we felt a desire for peace."

He gave Histadrut (The Israel federation of labor) a great deal of credit for the building up of the country in addition to protecting the standards and welfare of the workers who number more than 600,000.

"In Haifa, Jerusalem and Elath, there are labor mayors, signifying the important role labor is playing in the upbuilding of the nation.

"I was literally thrilled beyond words with what I saw in Israel, and heard and felt there. It was an unforgettable visit and experience. The country is growing: factories, apartments, government buildings, and institutions of all sorts are springing up everywhere; the roads and streets are crowded."

While in Israel, Potofsky met with its president, Yitzhak Ben-Zvi; the prime minister, David Ben-Gurion; the foreign minister, Golda Meir; the minister of labor, Mordecai Namir; and many others with the government and labor, including Pinhas Lavon, secretary general of Histadrut, and its entire executive board.

He also visited many institutions, among them the Amal School, ORT, and Jerusalem University.

He left Israel with a distinct impression that the government and the people are dedicated to peace. Constant threats from hostile neighbors have made it necessary for this small state to build an effective army.

"The people are concerned with peace and the development of their country along with relations and trade with such friendly nations as Turkey, Ghana, the Sudan, and the Far East," Potofsky emphasized. They look to the U.S. for protection of their borders and are grateful for their co-operation."

In Italy, he visited with many old friends. One of these is Monsignor John Patrick Carroll-Abbing, founder of Boys' Towns of Italy. Together, they visited the new Boys' Town on the outskirts of Rome.

"What an institution," Potofsky exclaimed. "Fifty wayward and retarded youngsters are being rehabilitated and taught a trade."

He visited workshops and the farms, and saw them at work and play.

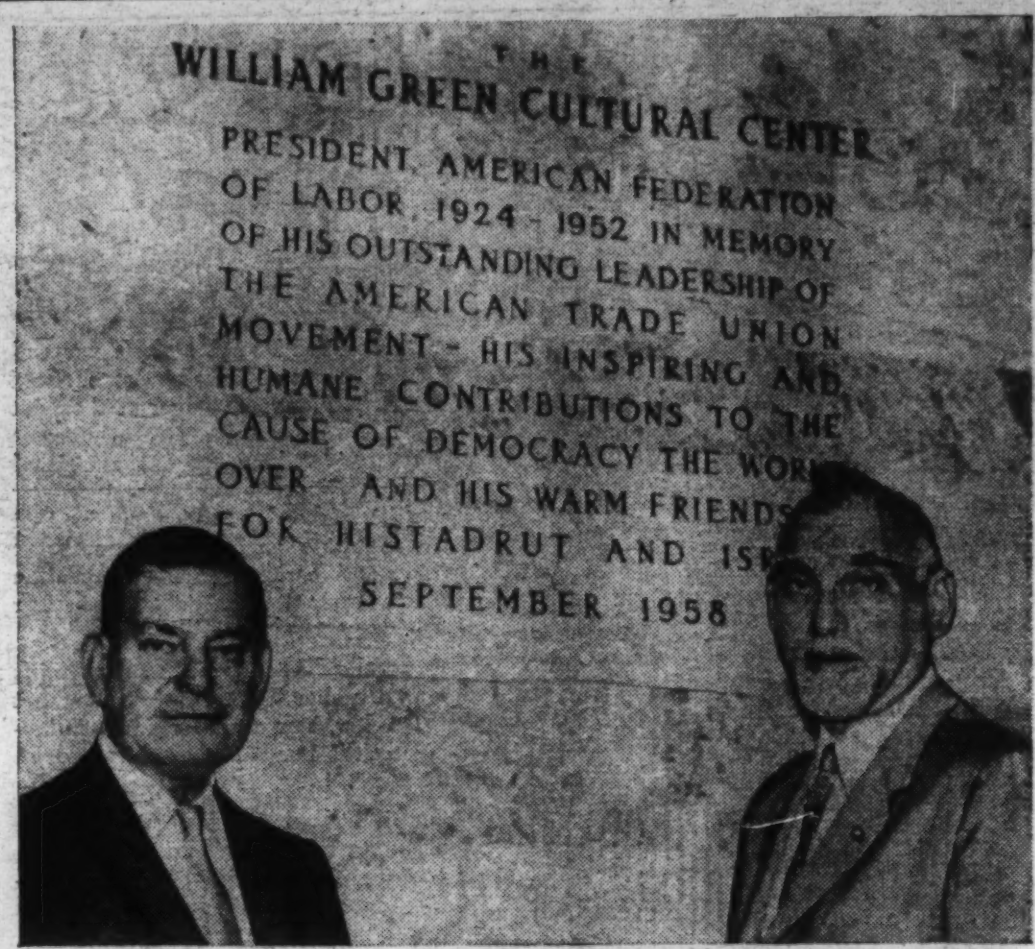
Plans for Amalgamated School

Monsignor Carroll-Abbing has plans for an Amalgamated school and more workshops to add to the Boys' Towns of Italy that through the years, and with the help of many organizations, including the ACWA, has taken in orphans, children from broken homes and children with psychiatric quirks to rehabilitate them and send them out, fit and ready, to make their way in a democratic society.

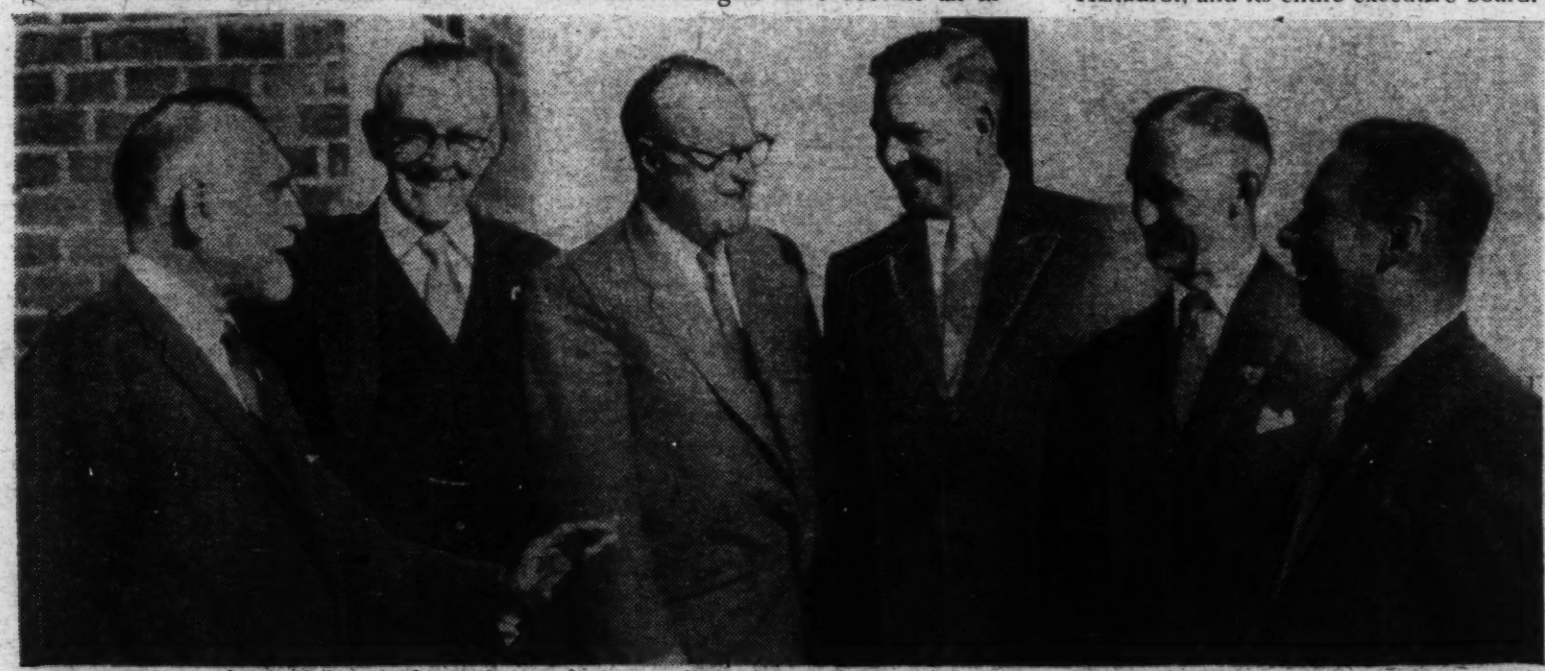
A representative of ORT, which operates non-sectarian vocational schools for 1,500 Italian boys, asked Potofsky to intercede with the Italian Government for additional equipment for the schools as well as the ORT administration.

Potofsky arranged to see the minister of labor, Ezio Vigorelli, who expressed sympathy for the appeal and promised his support. Vigorelli, an old friend of ACWA vice-president August Bellanca, reminisced about the problems attendant on the rehabilitation of Italy after the war and noted the many contributions the Amalgamated and some of its affiliates made toward that end.

Vigorelli displayed a keen interest in the United States, particularly the current recession, effects of which are being felt in Europe.



DEDICATION IN ISRAEL: Jacob S. Potofsky (right), general president of the Amalgamated Clothing Workers of America, and George M. Harrison, president of the Brotherhood of Railway Clerks, stand beneath the inscription of the William Green Cultural Center in Haifa, Israel. They dedicated the Center, which will serve Haifa's 160,000 trade unionists. It was built with the help of the William Green Memorial Foundation, which, through president George Meany, who is also AFL-CIO president, donated $50,000 for that purpose.



BETWEEN SESSIONS IN ENGLAND: Jacob S. Potofsky, ACWA general president, makes a point during a recess of the British Trades Union Congress recently in Bournemouth, England. Left to right are: Potofsky, Tom Yates, president of the TUC; Sir Vincent Tewson, TUC general secretary; George M. Harrison, president, Railway Clerks; Sir Thomas Williamson, TUC vice-chairman; and William Dodge, an executive vice-president of the Canadian Labour Congress. Potofsky and Harrison, and Dodge were fraternal delegates from the AFL-CIO and the CLC, respectively.

Eight Families Donate More Funds to Politics Than Did All of Labor

A recent report of the Committee on Political Education (COPE) reveals that eight families in America contributed more money to candidates in the 1956 elections than the entire labor movement.

COPE announced this information at the same time they released their July report to the various international unions of the AFL-CIO.

"When only eight families can contribute more to their favorite candidates and issues than 16 million members of the AFL-CIO the need for the COPE dollar drive is obvious," say COPE officials.

The Du Ponts, Pews, Rockefellers, Whitneys, Mellons, Vanderbilts, Olins and Reynoldses spent $1,004,986. The entire labor movement spent $941,271.

"Elections," says COPE, "are not won by money alone. They are won by organization, and most of all by the devoted service of people who believe in a righteous cause.

"But," COPE continues, "radio, television, advertising, publications and other necessary items all take money, and a candidate is greatly handicapped without it.

"We never expect to match the billionaires, and we don't have to," COPE says, "because we know some better ways of pulling together. But, unless we people who do the hard work in this country can boost the wherewithall of political life for our kind of candidate, the wealthy few will out-elect us far too often."

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THIS IS WHY LABOR IS IN POLITICS

Labor Law
EPV

THE FOLLOWING STORY WAS PUBLISHED IN THE WALL STREET JOURNAL ON FEB. 26, 1958

By ROSCOE BORN
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—The Government, in a complete reversal of a 10-year-old policy, quietly has given the nation's powerful building trades unions an ultimatum that will cut severely into their job-control power.

The ultimatum orders the unions to drop their closed shop requirement, which forces employers to hire only union members, and other illegal hiring practices. The order comes from the National Labor Relations Board, the Government's referee in labor-management disputes.

Though the Taft-Hartley law banned the closed shop in 1947, the ban has been widely disregarded in the building industry. Until recently, the N.L.R.B. had winked at violations, except in a few cases where workers pushed complaints.

Pressure on Unions

To bring further pressure on the unions, the board also has directed employers to steer clear of the illegal hiring arrangements in their contracts or share in the consequences.

Both the employers and the unions have been told they will be held equally responsible for compliance. Under a special weapon devised by N.L.R.B. officials, both will face heavy monetary loss or contempt-of-court charges if they don't comply by June 1.

"They mean business," declares an official of the Associated General Contractors of America, an organization representing some 7,000 construction employers in 48 states and Alaska. "It's for the mutual benefit of both labor and management and we intend to make our agreements conform to the law."

And a labor lawyer predicts: "The stakes are too large. The unions are not going to object to going along."

Easier to Evade

Traditionally, the closed shop clause has been found in many building-trades contracts, although no one knows just how many. Despite the 1947 ban, "the building trades have gone on with their closed shop just as if Taft-Hartley had never been passed," one official at the N.L.R.B. complains. Though union and management men in the industry contend this view is exaggerted, they admit they haven't really complied with the law because they found it easier not to.

This same official insists the N.L.R.B. winked at violations before because of "the make-up of the board under Harry Truman," who bitterly opposed the Taft-Hartley Law. By 1957, the Eisenhower Administration had whittled Truman holdovers on the five-member board down to one man, Abe Murdock. When his term expired last December, Mr. Murdock was replaced, too. As ex-President Truman's influence weakened and finally vanished, the board swung into action on the closed shop, this board official claims.

Technically, the action isn't the board's at all, but is that of the N.L.R.B. general counsel. The board sits as a judicial body, aloof from prosecution, leaving that job to the counsel, who is appointed independently by the President. That's why there's been no official announcement of the policy change by the board.

Counsel Acts

"We told the general counsel what our thinking was, and he's going to do it," says a board official.

The counsel, Jerome Fenton, has just dispatched a letter to the contractors and to Richard J. Gray, President of the A.F.L.-C.I.O. Building Trades Department, whose member unions total 18, including the carpenters, plumbers, bricklayers and operating engineers.

Mr. Fenton's letter says it would be "preferable if the parties took it upon themselves to correct their illegal hiring arrangements, thereby achieving the same basic purpose sought by the board but without the necessity of board action.

"Such over-all elimination of illegal hiring arrangements, by voluntary action, would not only help effectuate the purposes of the (Taft-Hartley) act, but would clearly be an important step in the general public interest and in the furtherance of the fundamental rights of employes," the letter continues.

'With this thought in mind I would like to suggest that during a period of three months, commencing March 1, 1958, employers and unions, who are parties to illegal hiring arrangements, vigorously undertake to correct such arrangements by bringing them into compliance with the provisions of the Labor Management Relations Act of 1947 (the Taft-Hartley Law)," the Fenton letter proposes.

Browns-Olds Remedy

Those who don't conform to the law, warns Mr. Fenton, will be subjected to the "full application of the Brown-Olds reimbursement remedy."

The allusion is to the Brown-Olds case, little known outside labor circles—but much feared within. The case, decided by the N.L.R.B. a year ago, involved a local of the Plumbers Union and the J. S. Brown-E. F. Olds Plumbing & Heating Corp. of El Paso, Tex. The concern's contract required membership in the Plumbers Union before a worker could be hired.

It seems one Vernon L. Bryant had asked for a job with Brown-Olds, but when the company checked with the union his employment application was vetoed. The N.L.R.B. ruled that such a job denial was illegal, and the result of an illegal closed shop contract.

The union was ordered to pay Mr. Bryant the amount of money he would have earned had the job been granted—which up to that point had been the standard remedy in similar cases. But the board went further and created what has come to be known as the "Brown-Olds remedy."

"These (closed-shop) contracts are in themselves a continuing means of thwarting the policy of the act," the board declared. It ruled that all dues and assessments collected by the union from all its members as a result of the illegal contract would have to be refunded because they "constituted the price these employes paid in order to retain their jobs."

Later the board yielded to pleas from Plumbers Union officials that the Brown-Olds remedy would cost them hundreds of thousands of dollars, money which the union collected but no longer had. Sentence was commuted, but the Brown-Olds remedy has remained.

This remedy's stiff penalties face unions now, warns the N.L.R.B. counsel, if their hiring practices aren't brought into compliance with the law. And a board official notes that in the future the remedy will be applied to both the employer and the union. They are jointly responsible and will have to jointly refund back dues, he argues.

"The employers are worried about it," says an N.L.R.B. official. "So they'll tell the unions, 'Look, this could cost us money we never got in the first place and we've got to change' "

The unions are not likely to disagree, much as they dislike the Taft-Hartley law. The Brown-Olds doctrine could have a "savage effect" on unions, one labor lawyer says. He believes a test case will develop in the courts, but meanwhile labor will comply.

There's another side to the N.L.R.B. threat, too. Officials believe the force of the Brown-Olds remedy will be potent enough to make many building trades unions and employers agree to a settlement of N.L.R.B. cases involving illegal hiring practices without the lengthy hearing process. As part of the settlement, they will be required to consent to a court decree, setting forth the illegal practices they must halt.

"If they violate again, we can go right into court and get them cited for contempt," a board policy maker says. "This short-cuts the two-year process of going through the N.L.R.B."

As an example, he cites a case already decided by the board in a ruling backed by the courts. It involves Herald H. Blum, a 28-year-old heavy equipment operator from Oil City, Pa. Mr. Blum, a member of a Pittsburgh local of the Operating Engineers Union, went to Massena, N.Y., in March, 1956, to work on the St. Lawrence Seaway project.

Expecting to work there four or five years, Mr. Blum bought a trailer and took his wife and two children along, he says.

He then discovered a Syracuse, N.Y., local of his union was in charge and wouldn't recognize his card from another local.

"I had to pay them a 'dobie' of $2.50 every week," Mr. Blum recounts, "and keep up my $5-a-month dues to my own local too." The "dobie" he speaks of is jargon for the worker's payment for a union work permit. In return for it, the New York local allowed him on the job.

"But they booted me off to give the work to other men in their own local," Mr. Blum says. "They kicked me off of two or three jobs there."

Finally Mr. Blum complained to the N.L.R.B. The agency said that while no closed shop contract was involved, the companies and the union were engaged in illegal hiring practices. According to Mr. Blum, there were between 3,000 and 4,000 non-local Operating Engineers members working on the vast project, pouring some $10,000 a week into the union's coffers for work permits.

The N.L.R.B. leveled its Brown-Olds weapon, and the union, along with most of the companies involved, agreed to settle the cases quickly rather than pay back all that money. The board also got a court decree spelling out the forbidden acts.

An N.L.R.B. official says the cost of a work permit sometimes is a fixed sum. For example, a non-local workman might pay $300 for his permit, in weekly instalments of $25. "Then when it's all paid up," the official explains, "by some coincidence the job is gone and the man has to be fired. Next week the same job is filled by another new man who has $300."

Such illegal hiring practices, as well as the closed shop, are targets of the new N.L.R.B. policy.

TOPE Handbook
1956

WHY LABOR IS IN POLITICS

BACKGROUND

Conservative business groups are redoubling their efforts to convince everybody, including trade unionists themselves, that Samuel Gompers, founder and longtime president of the American Federation of Labor—which later, of course, merged with the Congress of Industrial Organizations—was opposed to labor participation in politics.

The latest example of this was a statement made by Sen. Barry Goldwater (R., Ariz.), who is trying to drive organized labor out of the political picture. Goldwater, at Senate Labor Committee hearings, remarked that workers might be persuaded to "get back to the suggestion of Samuel Gompers that they stay out of politics."

Just exactly what was it that Samuel Gompers suggested? In order that this question may be answered definitively and once and for all, Press Associates, the labor news agency, went to the files of the writings of Gompers as kept in the AFL-CIO library.

Among the documents there is a slim pamphlet published in 1920 and written by the late president of the AFL. It is called "Labor's Political Banner Unfurled."

"Stand faithfully by our friends and elect them. Oppose our enemies and defeat them; whether they be candidates for President, for Congress or other offices; whether Executive, Legislative or Judicial." The words "elect" and "defeat" are underlined, so that there can be no mistake about what Gompers meant.

Noting that the AFL convention of 1919 had "declared the necessity for concerted action by Labor for the election of candidates who are friendly to Labor and particularly the defeat of those who are enemies of Labor" and had directed the organization of Labor's National Non-Partisan Political Campaign Committee, Gompers wrote:

"The fight is on. In this fight, *Labor will seek the election of fit candidates by a show of the records and of the facts.*" Declaring that Labor fought for the rights and freedoms of all men and not simply for those of union men, Gompers said that the interest of Labor in legislation was not limited merely to strictly labor matters but completed the circle "touching everything that has to do with human relations."

"Congress cannot do any single thing in which Labor is not interested," he declared. Gompers then cited a number of resolutions and statements made by organized labor dealing with labor participation in political action. One in particular said:

"It is the *duty* of trade unionists, their friends and sympathizers, and all lovers of freedom, justice and democratic ideals and institutions, *to unite in defeating those seeking public office who are indifferent or hostile to the peoples' interests and the aspirations of labor.*"

Outlining many of the legislative demands of labor in the 1920 elections, Gompers then called on workers to stand by their friends and defeat their enemies at the polls, concluding:

"Men of labor, be up and doing! Bear in mind that vigilance is the price of liberty as much today as when the salient warning was coined. Men of labor, be up and doing *at the primaries as well as in the elections.* Now is the time that tries men's souls."

TODAY'S TEST

The congressional elections of 1958 will mark another test of strength for the AFL-CIO Committee on Political Education (COPE) in the field of politics.

Before the battle gets too intense—and there is certainly every indication that it will be intense—it might perhaps be useful to examine again our fundamental premises.

Why is the trade union movement engaged in politics? What do trade unionists hope to achieve by their participation?

The aims and purposes and political commitment of political education and action by organized labor have been set forth clearly by James L. McDevitt, National Director of COPE. In an article in the AFL-CIO's Industrial Union Department's Digest recently, McDevitt wrote as follows:

I am convinced that too many of our members do not yet fully know the answers to these questions. I am equally convinced that when they do understand "why," many of our problems will be on their way to solution.

Today's world is an infinitely complex place.

We may yearn for the days when San Francisco was a long way from the east coast, when a flight from New York to Paris was an epoch-making event, when Amos and Andy ruled the air waves and people could only listen to, not see, the world's great events, when highways were uncluttered and a 250-mile auto trip was a big undertaking, when groceries were sold by a clerk and you talked to the butcher about the cut of meat you wanted, when local problems were local problems and when the editor of the Podunk Gazette could claim that "if it didn't happen in Podunk it didn't happen."

Realistically we know those days don't exist any more—and our memories cloud over the dark spots. Those, too, were the days of the 10 and 12-hour day, of small and weak labor organizations, of professional strikebreakers and Harry Bennett's "service" squads, of waves of unemployment, of bonus marchers, of cynical and corrupt political bosses ruling our local, state and sometimes national governments, and of domination of our national life by big business.

As the world has grown more complex the role of government has become more important and the responsibilities of the governed have grown.

As a simple illustration, in 1930 approximately 3.7 million individuals filed federal income tax returns. In 1953 over 57 million individual federal income tax returns were filed.

In 1930 there was no federal old age retirement program. Last month the Department of Health, Education and Welfare mailed out almost eight million checks to retirees under the Social Security Act. Next month they will mail out about the same number. Each month the Railroad Retirement Board mails

out about 456,000 checks while the Veteran's Administration carries about 2.8 million people on its rolls as beneficiaries.

In 1930, when a man was thrown out of work—and many of them were in that year—his only means of feeding his family and keeping a roof over their heads were his own resources and handouts from charity. Today the average unemployment compensation payment is $29 a week—not enough, certainly, to maintain a decent standard of living but certainly better than the 1930 scale.

Governmental Role

Today we are concerned with the direction our economy is taking. Economists tell us it is going down at an unpleasantly rapid rate. They also tell us that were it not for various federal programs it would be going down at an even more rapid rate.

To the economists this is a matter of academic concern. To the building tradesman on the construction site or the factory worker in the plant it is a matter of bread and butter, clothes and shelter for himself and his family. It means the difference between meeting payments on his car on arguing with the repossessor, between meeting payments on the television set or watching it being toted out of the house.

What government policy is and what it will be in the next few months will hit each of us in the bread basket whether we like it or not. We may agree or disagree with the theory that government should or should not exercise control over economic policy, that it should be left to the businessmen. Whatever theory we hold, the inescapable fact of life today is that government does determine economic policy and thereby the amount of food in the family pot.

Nor is government some vague group of people called "they." It is composed of men and women elected to public office for specified periods of time by each citizen. It is either Adlai Stevenson or Dwight D. Eisenhower, Senator X or Senator Y, Representative A or Representative B, as we may choose at election time. We prosper or struggle depending upon their wisdom, foresight, prejudices, and capacity.

Sometimes I am told this is not so, that through our trade unions we can set rates and determine conditions that will affect the lives of our members and that is the limit of our responsibility as trade unionists.

It may be—although I doubt it—that there was a day when this was so but it is emphatically not so today. The trade union movement is composed of 16 million members in a sea of over 170 million people in the United States and more than two billion people in the world. We cannot live our lives apart from them, insulated and isolated in a world alone. To fulfill our responsibility as trade unionists we must recognize this fact.

More Than Economics

It is not only in the field of economic policy that government touches our lives. There is, as a matter of fact, scarcely a single human activity that is not influenced to some degree by government.

You get up in the morning, turn on the lights and turn on the radio. The rates you pay for electricity are set by a governmental commission. The station that broadcasts your morning program receives its license from a governmental commission.

Perhaps you have bacon and eggs for breakfast. Your bacon has been inspected by a governmental inspector and your eggs have, no doubt, been produced by chickens whose care and feeding has been suggested by research scientists of the Department of Agriculture.

You may take a street car or bus to work. The fares have been approved by a governmental commission. You read a newspaper in which, chances are, most of the stories are about the actions of the police department the night before or the fire department or the city council or your state and national government.

The place in which you work, most likely, has been licensed to operate. It has been inspected for certain safety conditions. Your employer has to keep certain records. He must deduct your income tax and your social security tax.

While you are at work your children are in school, being taught at the expense of the taxpayers. The shopping your wife does at the grocery store is protected by food and drug laws and you're pretty sure the weights and measures your grocer uses are honest.

At night you may catch a ride home with a neighbor. He is licensed to drive by a governmental agency and he obeys the traffic laws established by the city government.

Your television show in the evening is broadcast by a station licensed to do business and the very set itself must conform to

certain safety standards to insure that it will not electrocute you as you turn it on or off.

At night you climb into bed. Your mattress has a tag on it that certifies its contents have been inspected. As you sleep, policemen are patrolling the streets and firemen are standing by in case you need them. The streets are being cleaned, trash is being collected, in accordance with the rules and regulations you, acting through your government, have established.

Perhaps this is a bleak picture. This is not the way we like to think of ourselves—protected, coddled, surrounded by rules and regulations. Yet we are not restricted or coddled, because these are rules and regulations we have imposed upon ourselves to insure the orderly operation of our society. Imagine, for instance, a city in which there were no traffic lights, no traffic regulations, no restrictions on drivers. It might work if everybody walked.

And I have only scratched the surface. Workmen's compensation laws, housing programs, fair labor standards, child labor laws, public assistance, education, agriculture, public health—all these and many others are activities of our government which we, as voters and as taxpayers, direct and control.

Why Politics

Granting that this is so, why, I am sometimes asked, is it necessary for our trade unions to engage in this activity? Why can't we engage in this activity in our individual capacities?

We can, of course, engage in the processes of government as individual voters but the curious thing is that the more involved people get in politics and government the more clearly they see the importance of acting together. Acting individually they can do something. Acting together they can do much more.

As Theodore Roosevelt once put it, "when a band of 150 or 200 honest, intelligent men, who mean business and know their business, is found in any district, whether in one of the local organizations or outside, you can guarantee that the local politicians of that district will begin to treat it with a combination of fear, hatred, and respect and that its influence will be felt."

Our trade unions are instruments we have devised for improving the welfare of our members. When so much of the welfare of our members is determined in the field of politics and government it is impossible for us, as trade unionists, to ignore

it. Having recognized the necessity of action in this sphere it would be equally impossible for us to forget everything we know about organization and acting together when we enter the political arena.

There are those who say we should confine ourselves to legislative activities, that we should make our representations to members of Congress and members of the government and leave the rest to the members' own instincts.

Certainly our legislative activities are vital and the legislative department of the AFL-CIO does yeoman service on legislative matters in which the trade union movement is interested. Yet I feel sure it would be the first to say that politicians do not always act entirely on principle.

The politician knows, probably better than anyone else, who is a registered voter in his district and who is not. He knows where his support is coming from and where he may receive opposition. His judgment is guided, and properly so, by such factors, for his job is to satisfy and represent the people of his district. The only knowledge he has of their wishes is the knowledge he receives at the ballot box on election day and his ear is tuned to the pulling of the voting levers.

COPE seeks to help the member of Congress and the member of government know the wishes of his constituents and it seeks, likewise, to help the constituents know something about their representative.

Our Congress, unlike most parliamentary bodies in the world, provides for a daily printed verbatim record of its proceedings. It prints, except in cases in which the national security would be affected, the verbatim record of hearings before its committees. It records by name the vote of each individual Representative and Senator on roll calls, no matter how trivial.

Its intent, clearly, is that voters should know what Congress is doing.

The intent is admirable. Unfortunately the Congressional Record is a bulky document and the hearings before committees run to many pages. Decisive roll call votes, because of parliamentary procedure, are often hidden in technical quagmires.

To help constituents understand what is going on in Congress COPE undertakes so sift through the Congressional Record and

the committee hearings, to interpret the significance of roll calls, and to analyze the meaning of governmental actions and decisions.

Having done this it then seeks to see to it that voters, particularly those in the trade union movement, receive this information and are prepared to act upon it in an effective way.

The only effective way of acting is obviously through politics and the only effective politics is organizaton. We come, therefore, to the organization of state and local COPE's, to registration drives, to drives for individual voluntary contributions with which to finance expenditures in connection with federal elections.

And even if all of what I have said here is unconvincing there still remains a compelling reason for our participation in politics. It is the fact that our opponents in the economic field are actively engaged in politics. They are actively seeking the passage of legislation that will benefit them when it comes to bargaining collectively and when it comes to the distribution of the products of our labor.

The record of Congress and of the state legislatures is full to overflowing with attempts to restrict the rights of our trade unions, with attempts to get the tax burden shifted to the shoulders of working people, with attempts to exploit natural resources for the benefit of a few, with attempts to narrow the scope of our social security and wage standards laws, with attempts to direct our government toward the interest of the few and against the many.

Labor's Political Commitment

The simple fact is that it was the Smith-Connally Act of 1943 and its successor, the Taft-Hartley Act of 1947, that compelled the present day labor movement to enter into politics. Were it not for those two pieces of punitive legislation it is possible that we would not today be exerting the efforts we are in the political field. Equally, if we were not today exerting the effort we are it is certain that Taft-Hartley and Smith-Connally would be weak tea compared to the brew that would be set before us.

The commitment to politics is one we cannot escape if we are to survive and if we are to serve our members. Having made it, as trade unionists we cannot escape the obligation to devote our utmost efforts to it.

We are making progress. Considering the length of time we have been active in this area I think we have made very good progress. But the challenge is always before us. The pressure is always on and the perils of failure are great.

In 1958 we will be engaged in another contest. I am sure that, given the help and support of our members, we will make a creditable showing. But it will take more than good intentions. It will require the active and interested support of each of us. No one can afford to sit on the sidelines.

Jack Johnson, the great Negro heavyweight, put his finger on it back in 1915 when he was fighting Jess Willard under Havana's blazing summer sun. A spectator at the ringside kept up a running fire of abuse. He criticized Johnson's style, made cracks about his color, complained about his ancestry and belittled his courage in the ring.

Finally, between rounds, Johnson leaned over the ropes, smiled down at the man and said: "Man, you're down there talking. I'm up here fighting."

In the effort in which we are engaged none of us can afford to be "down there talking." All of us, at least part of the time, have to be "up here fighting."

New York. The mistakes of a state c vention "take about three years to cl up." Representing a "disoriented col tion of separate fiefdoms," a state c vention is more subject to "deals." delegate is "the property of his lead Costikyan doubts that Charles Buck the old-line Bronx Democratic boss, polled his delegates. He knew how ought to vote, and he voted them.

Mr. Costikyan wants the public to evaluate politicians, and stop thin of them as thieves. He laments the p ing of "boss" power to those who pre in public office, and points to the dangers that come of the increasing supremacy of civil service unions. Although M Costikyan holds the press in rather l esteem, apparently he condones "use the press, by politicians, for polit purposes.

In general, however, Mr. Costi takes the high road of politics, ra than the low. In view of the dearth recent years, of able, informed about the fascinating scene of New politics, it is cause for regret that book does not bring us more candi ample disclosure of what does "behind closed doors" and a better sight into the chief characters who ha crossed the stage in Edward Costikya time.

If he, with his vast opportunity to observe, had told us what he really though of Wagner, Robert Kennedy, Beame Adam Clayton Powell, DeSapio, Charles

A Political Triumph Over Racism

outherner, by Charles Longstreet eltner (Lippincott. 188 pp. $3.95), redicts that the extreme racist element of the Democratic Party will be absorbed into the GOP. Bruce Galphin is an editorial writer and olumnist for the Atlanta Constitution in Georgia.

BRUCE GALPHIN

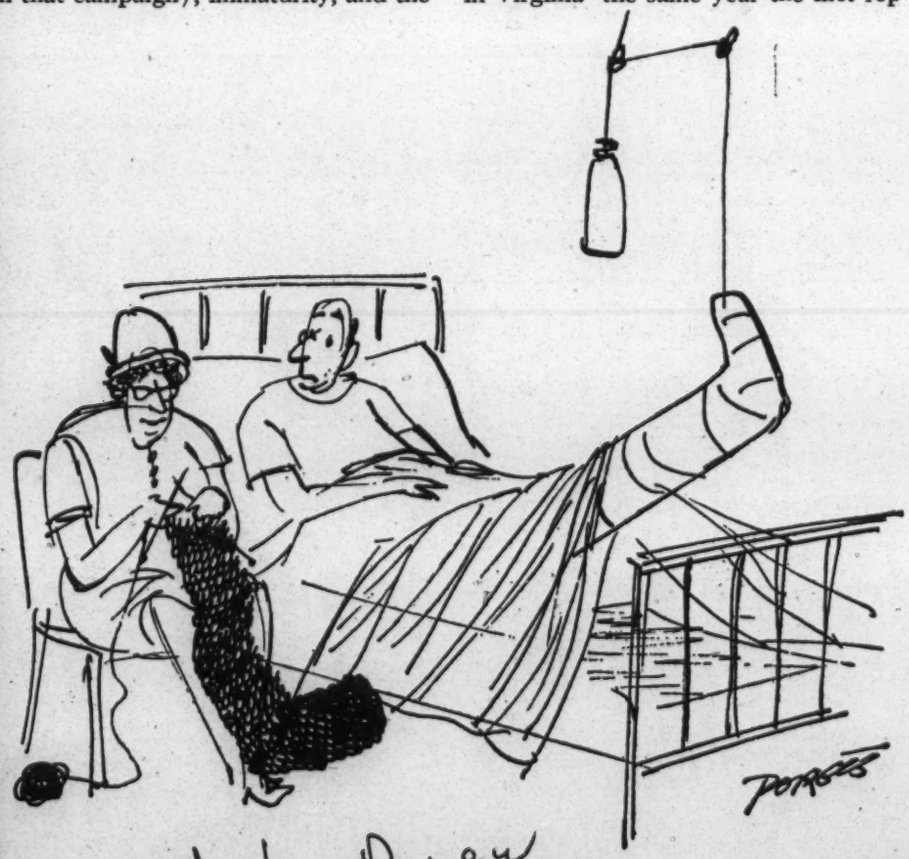
THE MOST remarkable thing about this book is its author. It is personal miniscence, but many have reminisced h more memorable style. It is race tions history, but the material and insights have been explored before. a Southern white man's appeal for l justice, but this cause has been ded eloquently by others.

hat makes *Southerner* remarkable is the author who writes with such ness, scholarship, and racial liberal- congressman from the Fifth Dis- of Georgia. Charles Longstreet Weltner is completing his second term in the House of Representatives. In 1962 he overcame obscurity, lack of financial backing (he's still paying a note on that campaign), immaturity, and the vote-diluting county unit system to defeat a well-entrenched segregationist who had one of the most obstructionist records on Capitol Hill.

In Washington Mr. Weltner has voted slightly left of center, disappointing the purist liberals occasionally on matters of economics and labor. He quickly mastered the intricacies of the bureaucracy and thereby has become so effective in obtaining appropriations for his district that he has won considerable admiration and support within the Atlanta power structure that once opposed him. He proposed and served as a member of the committee investigation of the Ku Klux Klan.

But by far the most interesting political fact about Representative Weltner is that he voted for the Civil Rights Act of 1964—and was handily re-elected later that year. His survival is strong documentation of the Southern political ferment to which he addresses himself in this volume.

Race lies at the center of any understanding of the South, and it is the core of *Southerner*. ". . . the burden of Southern history," Mr. Weltner writes, "is lost opportunity." He traces the failure of racial solutions from the arrival of slaves in Virginia—the same year the first rep-



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resentative government was established on the American continent—through the Constitutional Convention, Civil War, Reconstruction, Populist era, and the New Deal. Throughout, the Negro was "rarely regarded by either side as a fellow human being," but rather as an agricultural unit, a question for union or disunion, an easily obtained vote.

That is changing now, the congressman believes. The Supreme Court's 1954 school decision and subsequent civil rights efforts have humanized the problem and drawn attention to the moral issues involved. If the continued antics of Southern governors and midnight riders cast doubt on his optimism, election of men like Mr. Weltner help to give it validity.

He does not place all the blame on the South for its current anguish over race relations. Nevertheless, wherever the blame, the result is what Mr. Weltner calls "the Southern gap"—the serious lag behind the rest of the nation on almost any educational or economic index. "The South is poor because the Negro is poor."

Here the author pleads his political case with quiet eloquence. The federal government, he argues, is the most efficient tool for closing the gap, and the Democratic Party its best administrator. He finds it passing strange that Southerners should reject either.

He concedes, though, that the growth of the Republican Party is one of the most significant developments in Southern politics today. He expects the GOP to absorb the extreme racist elements from the Democrats, while what remains of the Democrats will move over to the national party. Thus there will be one Democratic Party, and the Republicans will be split into Southern and national wings.

The other major Southern political trend is the expansion of the Negro electorate. It will vote *en bloc*, Congressman Weltner predicts, only so long as it is threatened. Where the Negro vote is large, racism will be dampened.

The Southerner is direct, lucid, wryly humorous, and honest. Mr. Weltner does not gloss over the embarrassing. He concedes that his early public defense of racial justice was based on legalisms rather than the more important moral issues involved. He plainly sets forth the chronology of his change from nay to yea on the Civil Rights Bill; the switch occurred, as his critics delight to recall, when court-ordered redistricting shrank his base to a more liberal, more Negro constituency.

For those not familiar with the demise of Georgia's county unit system, its reapportionment, and the collapse of massive resistance, this book offers an added plus. But it is above all the document of a man who in turn is the symbol of an encouraging political revolution.

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CONGRESSIONAL RULES

Background

Rules and procedures of Congress, including the seniority system, are stacked in favor of conservatives who want to block liberal programs supported by most Americans. In line with a recommendation by the American Political Science Association, a bipartisan group of Senators and Congressmen are proposing a Joint Committee on the Organization of Congress to make recommendations for basic reform of Congressional rules. But such reform will take time. Proposals for immediate reform center on the House Rules Committee and on the filibuster.

Rules Committee

For years a conservative coalition of Southern Democrats and Republicans has made the Rules Committee a graveyard for liberal legislation to advance civil rights, aid to education, health care, housing and other programs to help working people and their families. Early in 1961, Democratic leaders in the House, with Kennedy Administration support, won a narrow, 217-212, victory over this conservative coalition by increasing the size of the Rules Committee from 12 to 15 members. The Committee had consisted of four Republicans and eight Democrats, two of whom almost always joined with Republicans to kill liberal legislation. By adding two Democrats and one Republican, the leadership got a slight 8 to 7 edge on the Rules Committee, thus enabling the Kennedy Administration to get a substantial part of its legislation program up for action in the 87th Congress. But the Rules Committee enlargement was limited to the 87th Congress. It took another battle in the 88th Congress to maintain the 15-man committee.

However, this slight edge of 8 to 7 is not always enough to prevent the Rules Committee from blocking liberal legislation. Liberals favor re-establishing the 21-day rule which was in effect during the 81st Congress. This rule permitted committee chairmen to call up for House floor action, legislation which has been favorably reported by their legislative committees, after the Rules Committee has had 21 days in which to report the legislation and has not done so.

Cloture vs. Filibuster

In the Senate, the filibuster protection, Rule 22, still enables Southern Democrats - with tacit Republican support - to talk civil rights proposals to death. Cloture is the liberals' only weapon against such anti-civil rights filibusters, but so far it has not been effective on civil rights issues. As Rule 22 stands now, it take two-thirds of the Senators voting to invoke cloture and limit each Senator to one hour of debate. In recent years, Senate liberals have tried to cut the cloture-vote requirement from two-thirds to three-fifths of those voting. The civil rights resolution adopted by the AFL-CIO Fourth Consitutional Convention says:

> "We insistently urge earliest possible Senate action to change Rule 22 to make it possible for the Senate majority to prevail after reasonable time for debate."

DO'S AND DON'TS - COPE DOLLAR DRIVE

DO	plan your Dollar Drive carefully in advance.
DON'T	start collecting until you have appointed collectors in every work area, assembled all your literature and planned your publicity campaign.
DO	use posters and other means to publicize your COPE drive.
DON'T	just send off your collectors with a pep talk and then leave them to shift for themselves.
DO	train your collectors so they are prepared to answer all questions about COPE.
DON'T	embarrass your collector and lose contributions because he isn't quite sure how COPE money is used.
DO	establish a plan to make sure <u>every</u> worker (not just union members) is contacted. You won't get money without asking.
DON'T	burden one collector with so many people he gets discouraged before he even starts.
DO	appont one collector for each 10 or 20 workers.
DON'T	forget to ask business establishments with which you deal, friends and neighbors to contribute to COPE.
DO	use a catchy slogan, such as "Dollars for Democracy."
DON'T	be defensive. COPE collectors are not looking for a handout - they are doing their bit as good citizens to help elect good Congressmen so we can all enjoy better laws.
DO	approach people positively, appealing simply and directly to them as good citizens and good union members.
DON'T	give people an easy way out by asking them halfheartedly or by annoying them with high pressure sales tactics.
DO	assume that people will contribute if they are asked in a reasonable way.
DON'T	be satisfied with a "no" answer. Persist in explaining the importance of the drive.
DO	emphasize that you are asking the equivalent of only 2 cents per week.
DON'T	announce the end of the drive before your collectors and your publicity committee have had a chance to meet your quota.
DO	appeal to the members' pride in CWA as a union which assumes its rightful place in the political life of our nation.
DON'T	fail your local, your union, the labor movement, your nation and those deserving candidates who need help if they are to get elected.

HOW CONGRESS MAKES LAWS

1. A bill is introduced to Congress either by a Congressman or a Senator. This may be his own bill or he may have gotten the idea from some group or person back home or from some other group such as a labor union or business organization. Or, it may be the bill of the administration or the opposition.

2. Bills are referred to specialized committees which study them and make recommendations to the House or Senate. The committees are extremely important, as many bills are long and involved and generally the recommendation of the committee to the Senate or the House is accepted.

3. On most important bills, the committe which is studying the bill will hold hearings where representatives of various groups, or individuals who are interested, can present their views on the piece of legislation involved.

4. When the hearings are over, the committee and its staff studies all the recommendations and the bill itself and presents an agreed-upon bill to the House or the Senate for consideration.

5. The bill goes on the calendar in the Senate before it gets on the floor for debate. In the House of Representatives, it is sent to the Rules Committee which acts as a traffic cop and decides when the bill can be presented for debate.

6. When the bill passes one of the Houses of Congress, it is then sent to the other House for approval. If the bill passes the second House without any changes, it is sent to the President for his signature.

7. If the Senate and House pass different versions of a bill, the two separate bills are sent to a joint conference committee made up of Senators and Representatives. They compromise the issues involved and then the compromise bill is sent back to the House and Senate, where it is generally passed by both Houses.

8. If the President signs the bill, it becomes a law. If he vetoes it, it is sent back to the House and Senate. It takes a two-thirds vote to pass a bill over the President's veto.

HOW CONGRESSIONAL COMMITTEES WORK

Committees are Workshops of Congress

Do you think you could analyze 10,625 bills in one year and make a sound decision on each of them?

This is the number of bills that were introduced in Congress in 1961. Each Senator and Representative, however, does not read and study every bill. Instead, Congress relies on the judgment of various committees. Committees greatly reduce the burden our Congressmen must bear.

Each committee is assigned a particular field of government. When a Congressman introduces a bill it is referred to the committee dealing with that subject.

Committees hold hearings and listen to witnesses who give reasons for or against bills. The committee then recommends that the bill be approved or disapproved. The committee can also show its disapproval of a bill by issuing no report. In most cases, Congress follows the recommendation of its committees when bills come to a floor vote.

There are four kinds of Congressional committees. The first is the Standing Committee. There are 15 Standing Committees in the Senate and 19 in the House. These are permanent committees. The problems they deal with, such as finance and foreign relations, are permanent in nature.

Special Committees are permanent committees made up of members of both the Senate and the House. An example is the Joint Committee on Atomic Energy.

Subcommittees are subdivisions of full committees. For instance, the Senate Permanent Subcommittee on Investigation is a division of the Senate Committee on Government Operations.

The fourth committee is the Conference Committee, a temporary joint committee.

All members of Congress are assigned to at least one committee although each member of the Senate holds about eight committee assignments. The chairman and a majority of the members of each committee are appointed by the majority party. Since the Democrats now control the House and the Senate, all committee chairmen today are Democrats.

Committee chairmen are among the most powerful members of Congress. Why? A chairman can prevent a bill from being debated on the floor of Congress simply by refusing to bring the bill up for consideration in his committee. The Senate and House, by a majority vote, can bring the bill out of committee and up for debate, but this is rarely done.

IS POLITICS IMPORTANT TO US?

Every now and then you may run into people who think that it is not quite proper for organized labor to take part in politics.

This is the result of a never-ending campaign by conservative business interests who contend that unions should only concern themselves with strictly economic matters, such as collective bargaining, wages, hours, conditions of employment, etc.

Even if this were true, unions would still owe it to their members to engage in political education and political action. You know that your state legislature and Congress can affect collective bargaining, can fix minimum wages and maximum hours and can vitally influence working conditions. Indeed, they can even determine whether or not there shall be unions. After all, Congress did outlaw the Closed Shop and several state legislatures have prohibited Union Shop agreements.

There is not a single labor-management contract anywhere in America that is worth the paper it is written on if there is a Congress or state legislature that wants to weaken or destroy it. That is the main reason organized labor entered the political field and why it must remain active.

Unions have no choice but to be active in politics. Employers forced unions into political action. They decided that the place to curb the trade union movement, the place to do battle with the workers and their trade unions was in the legislative field. The Taft-Hartley Act, the Landrum-Griffin Act, the state "Right-to-Work" Acts are all the result of political action by employers. All these laws restrict the ability of labor to win gains at the collective bargaining table. Labor must be active in politics in order to prevent even worse legislation and, if possible, to remove some of the unfair provisions of present federal and state legislation.

But there is still another reason why trade unions should be in politics. Union members are also citizens and, as such, are interested in good schools, decent housing, a good transportation system, a fair deal for farmers and small businessmen, a tax system based upon the ability to pay, a healthy economy and hundreds of other laws that affect their well-being. Workers are interested in these matters, whether or not they belong to trade unions.

But for the most part, the average citizen is not represented in an organizational sense. Others, however, are organized for political action. Doctors, lawyers, dentists, and other business groups are organized politically in order to look out for <u>their</u> interests. But the interests of the average working man or woman are almost completely neglected, unless he belongs to a strong labor union which engages in effective political action. In short, the average person has a need for an effective mechanism through which he can translate his feelings on public issues into constructive down-to-earth action in Washington and his state capitol and city government.

For example, the average person is vitally concerned with the quality of the public schools his children attend. But public schools, by and large, are controlled by boards of education dominated by businessmen or local merchants whose primary interests is to keep taxes down and who might very well send their own children to private schools. These businessmen look upon the schools primarily as a place to teach a trade and useful work skills to youngsters, so that the employers themselves will not have to provide this training when the youngsters are ready to go to work. Very few of these members of boards of education are interested in giving the average child a truly liberal education - one that enables him to understand the social forces which determine how he lives or whether or not he is to survive at all.

Probably the most constructive single step that could be taken to improve our public schools would be effective political action to place on school boards candidates from the working class. Only these candidates can be really counted on to continually strive for the best possible school system for all of our children. But the individual worker, alone, can do very little in a matter of this kind. He needs organization and the one organization to which he belongs that could conceivably do the job for him is his union. If his union doesn't do the job, it probably will not get done.

The average community is also plagued with clogged highways, polluted air and water, slum housing and other undesirable conditions. Any and all of these problems can only be solved at the local level through effective political action by the union movement. This is the only agency which speaks for a sizeable fraction of the community and which is able to enforce its will at the polls.

"Politics ought to be the part-time profession of every citizen."

Dwight D. Eisenhower

LABOR'S HISTORIC INVOLVEMENT IN POLITICAL ACTION

Politics is a trade union tradition. As far back as 1828, the first city central body in the United States, the Mechanics' Union of Trade Associations of Philadelphia, supported candidates for city, county, and state offices on a workingmen's ticket. Under the same label, labor unions offered candidates in New York and Boston. Many of these candidates were elected to public office, including Ely Moore, President of the National Trades Union, who was elected to Congress from New York in 1834 and 1836.

The first nation-wide labor federation, the National Labor Union, strongly urged union participation in politics. In 1872, it nominated candidates for President and Vice President of the United States.

During the 1880's,when the Knights of Labor were at their peak, hundreds of candidates were supported by unionists. One-half dozen labor-backed candidates were elected to Congress, as well as to state legislatures and local offices.

In 1893, Samuel Gompers himself, then President of the American Federation of Labor, made an unsuccessful try for election to the New York State Constitutional Convention.

One of the nation's foremost authorities on labor, Edwin Witte, has pointed out that the AFL was organized primarily to secure the enactment of legislation favorable to labor. In its 1881 platform, the Federation urged that: "All trades and labor organizations secure representation on all law-making bodies by means of the ballot."

In 1893, the AFL submitted to its affiliated unions a political program. In 1896, Gompers was so deeply interested in the candidacy of William Jennings Bryan for President of the United States that at the next AFL convention it was falsely charged that Gompers had allowed his office to be used as a Bryan headquarters.

The Federation supported Bryan again in 1908, Woodrow Wilson in 1912 and 1916, James Cox in 1920 and Robert LaFollette in 1924 for President. In 1922, organized labor in Minnesota and Wisconsin joined with farm organizations in the farmer-labor political alliance.

In 1906, the AFL Executive Council drew up "labor's bill of grievances" to counter the abuse of unions by both Congress and the courts. That same year, the AFL issued an appeal to all affiliates for political action and issued a textbook on political issues and endorsed candidates. It conducted a fund-raising campaign to assist pro-labor candidates for office.

In the 1930's and 1940's, many local unions in the city central bodies supported Franklin D. Roosevelt in his four elections. In 1943, the Congress of Industrial Organizations formed its Political Action Committee, through which members of organized labor and the great mass production industries expressed themselves in the field of politics. PAC backed FDR in 1944,and in 1948, after the AFL convention voted to establish Labor's League for Political Education, both the PAC and LLPE supported Harry Truman for President.

Both the AFL and CIO endorsed Adlai Stevenson for President in 1952, and in 1956 the merged AFL and CIO endorsed Stevenson again. In 1960, the AFL-CIO endorsed John F. Kennedy.

In 1958, 25 candidates for the Senate who were endorsed by state COPE or state bodies in unmerged states were elected and seven were defeated for a winning percentage of 78. Of 294 House candidates supported by State and Congressional District COPE, 183 were elected and 111 defeated for a winning percentage of 62. State COPEs also endorsed 24 candidates for governor, of whom 18 won and 6 lost for a winning percentage of 75.

It is quite clear that labor has felt the need to be in politics for a long time. It is particularly important today, in our highly complex world, in a world dominated by bigness of organization where the individual has little power by himself, for organized labor to seek through combined action a better world for its membership. This is the only way in which the average person can have his voice heard in the national capitol or in state local capitols.

THE BUSINESSMAN IN POLITICS

Many workers look down upon politics as a rather disreputable type of activity, but their employers disagree with them. Employers understand that politics is important and they do everything possible to encourage management employees to become active in politics. Here are a few examples of how employers look upon political activity.

1. Quotation from Henry Ford II, President of the Ford Motor Company: "The stake we have in self-government is too great for any of us to assume the role of passive bystander. If we believe in a party and its nominee, then we whould support that party and that man to the limit of our ability.

   "The Republican and Democratic Parties need help in presenting their views to the public at large. They must have willing and interested workers who can devote time and effort to the job of encouraging millions of Americans to exercise their voting franchise. Both parties must raise money to cover the high cost of campaigning and radio, television, and various forms of advertising.

   "I urge all employees of Ford Motor Company to serve themselves and their nation in the next few months by devoting at least a portion of their available time to the interest of the party of their choice. I also urge you to contribute money to your party in whatever amount your means will permit. The actual size of your contribution is far less important than your willingness to make known where you stand politically."

2. The General Electric Company urges its employees to take part in both partisan and nonpartisan political activity. Nonpartisan political activity is defined as that type of activity designed to increase public understanding of significant social and economic problems. But General Electric also recommends partisan political activity: "There is, however, still an additional partisan political activity which responsible citizens should feel the need to carry on in connection with the party of their choice - even in the period between elections.

   "This need is for the responsible citizen - to the extent of his interest - to work within whichever is his party choice to help have the party's party's present officeholders act more constructively in the true public interest and to help the party offer better platforms and better candidates for the next election.

   "This includes devoting personal time and personal funds to the proper uses of the party of his choice whichever party that may be...

   "General Electric has neither the opportunity nor the desire to pressure any employee into political activity against his will or even beyond his natural or acquired interest. But the Company does encourage all its employees to participate in both the partisan and nonpartisan kind of political activity to the extent of their interest."

3. Some companies pay employees while they are taking part in partisan political activities. For example, Continental Oil Company allows time off with pay for "those employees who have been duly elected and are serving as officers at the precinct level and above in either of our two dominant political parties... for the purpose of conducting election-day activities incident to the party office he holds." Duly elected delegates to party political conventions also are given time off with pay for up to three days to attend these conventions.

4. Chase Manhattan Bank's policy states that if an employee is elected to a local or state legislature requiring his whole time away from the Bank, he will be paid full salary during his absence.

The Bank also has a public affairs department to encourage employee participation in politics and to keep bank personnel informed on issues and candidates.

5. Western Electric says: "It is the policy... to stimulate and encourage individual expression and action in the political life of the community."

6. Second Bank State Street Trust Company, Boston, tells its employees: "As a matter of policy, the Bank goes on record now as encouraging and urging its men and women - regardless of political affiliation - to seek enlightenment on the issues of the day and to work for enactment of measures and policies they personally believe to be wise and in the interest of good government."

7. Many companies, many trade associations, and local, state and national chambers of commerce have programs to promote political activities by individuals. These include activities such as: (a) sponsoring educational programs on practical politics; (b) handling registration and get-out-the-vote drives; (c) conducting campaigns to encourage contributions to political parties and to encourage employees to work actively in their party; (d) instituting programs of recognition for political achievements; (e) arranging political discussion meetings, visits with the candidates or plant visits by candidates; (f) encouraging management to help stimulate political activity by setting worthwhile examples.

8. In 1958, the Aeroget General Corporation conducted a drive among its employees at Azusa in Sacramento, California for contributions to political parties and their candidates. Some 11,000 of the 15,000 employees contributed an average of $2.00 each - with the larger amounts contributed by executives - bringing the total to $25,000.

9. The American Heritage Foundation, in cooperation with the Advertising Council, conducts a nation-wide "Give a Buck" campaign to promote broader public participation and political fund-raising.

10. The Toledo, Peoria & Western Railroad Company, in commenting upon the cost of political campaigns, tells its employees: "There is another obligation we have that has not been mentioned quite so much - that is to support the party or candidate of our choice with a financial contribution. It takes money to win a campaign for public office. TP and W notes that Abraham Lincoln's campaign for President 100 years ago cost about the same as a single national network broadcast in a modern political campaign. These costs can no longer be met by the candidates and a few heavy individual contributions. It is necessary for both parties to solicit campaign funds on a broad base." They further note that "your contribution as much as your vote will improve your party's chance of winning."

11. The Pacific Telephone and Telegraph Company and the Bell Telephone Company of Nevada devote space to employees who are active in politics. This series in the Pacific Telephone Magazine is called "People in Politics."

12. The Quaker Oats Company distributes to employees bibliographies of selected study and reading materials concerned with political responsibilities and current political topics.

13. The Gulf Oil Corporation has a program which includes instruction in public affairs, political procedures and the ways in which a citizen may take part in these. Records of members of Congress are analyzed.

14. The American Can Company has a program designed to: (a) identify major social, economic and political issues which will be considered by the Congress, analyze their implications, bring together the results of research on these issues, and provide management with the facts required to take sound positions. "Managers, thus, will be able to present their views intelligently to other employees of the Company, the members of the communities in which they work and live and to members of Congress;" (b) encourage managers to take an active interest in the process of selecting and electing legislators, help them to learn how to participate in this process through the party of their choice and stimulate them to encourage and assist others to do likewise; (c) present to all employees of the Company - through the medium of employee publications - newsletters and bulletins - facts which enable them to decide the kinds of legislative action which will increase their standards of living, strengthen the Company and improve the welfare of the nation. The American Can Company's program includes a study of voting records of federal elective officials.

15. Trade associations, including the American Farm Bureau Federation, the Manufacturers' Association of Syracuse, the National Retail Furniture Association, National Association of Real Estate Boards, National Association of Homebuilders, National Cottonseed Products Association, Inc., Steel Service Centre Institute, California Association of Life Underwriters, and California Association of Insurance Agents are among the scores of trade associations encouraging members to participate in politics on a local, state and national level.

THIRD HOUSE OF CONGRESS -- CONFERENCE COMMITTEES

Both Houses of Congress must approve all legislation in identical form before it goes to the President for signing into law. The House of Representatives and the Senate, however, usually pass different versions of major bills, since the second House to act on a bill can amend or rewrite any measure to fit its will. Differences between the two versions of a bill are ironed out in a Conference Committee of the two Houses.

Either House may request a Conference. The other House, being notified of this action, agrees to the Conference if it insists on its own version of the bill. Committee members are then appointed. The senior Senator of the majority party usually serves as chairman. The number of members chosen from each House may vary. Each House has one vote in Conference.

Under the rules, Conference Committees are expressly forbidden to (1) eliminate or make changes in that part of the legislation agreed to by both Houses; (2) include new material not approved by either House. However, a much used parliamentary device strengthens the power of Conferences by allowing them to write a new bill.

Procedure

All Conferences meet in closed session and no records are kept. Conference reports may be brought to the Senate floor at any time as privileged business, by a majority vote. In the House, members of the Conference Committee can be discharged if they do not report within twenty days after their appointment. Conference reports must be accepted, rejected, or recommitted in their entirety.

WHAT INFLUENCES CONGRESSMEN OR SENATORS?

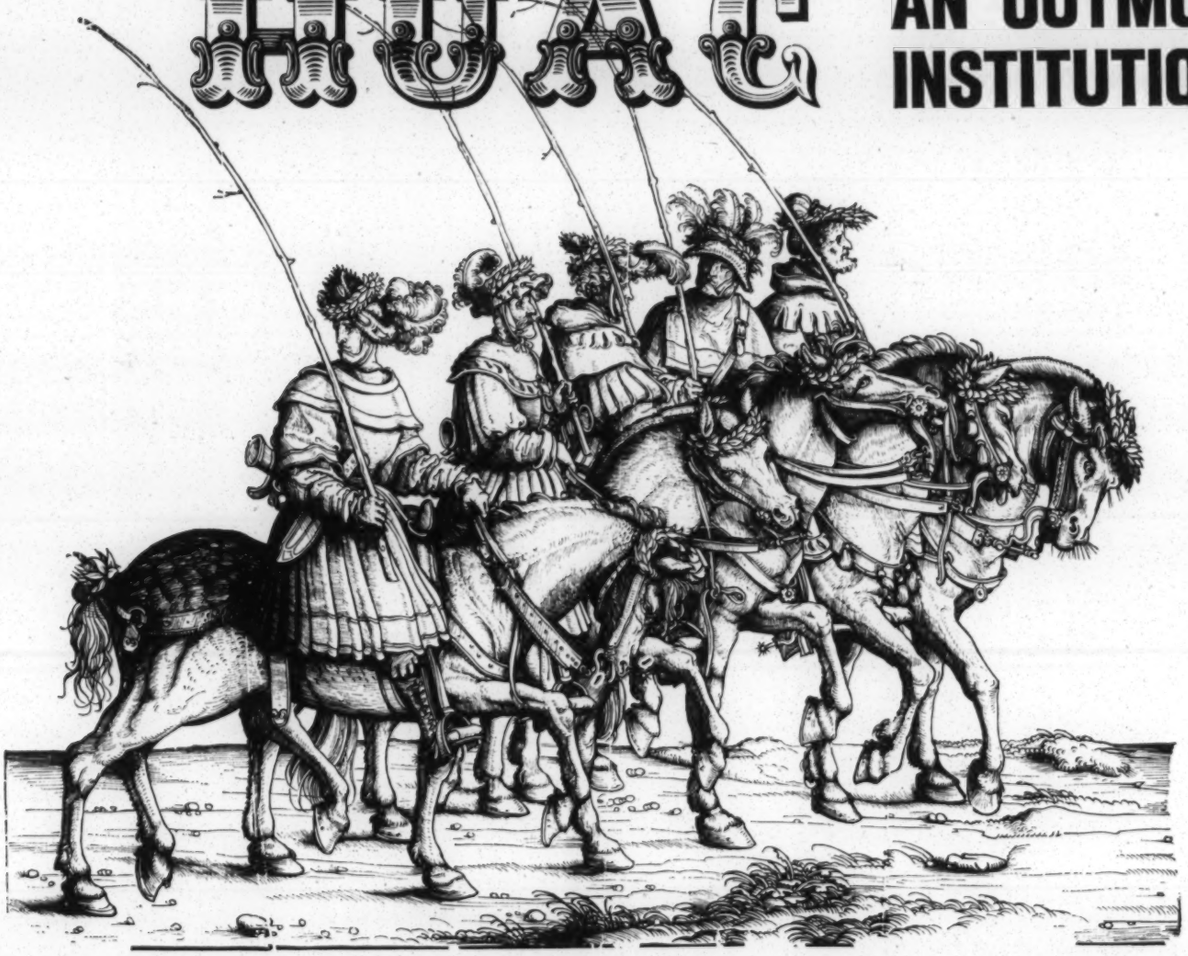
Committee Reports. Thousands of bills are presented each session, many of them hundreds of pages long. Therefore, the Committee Reports are very important, because many Congressmen rely upon them.

Party Discipline is also important, since many Congressmen vote completely along party lines regardless of the merits of a particular piece of legislation.

Your Opinion. Postcards, letters and telegrams are very important. They let your Congressman or Senator know what people at home think about bills and remind them that the voters are watching. It is also important for delegations to call on Congressmen - in Washington or when they are back home - because this also influences their opinions.

EV-Congress

HUAC AN OUTMODED INSTITUTION



A Congressman's look at the record of the House UnAmerican Activities Committee.

By Rep. Don Edwards

One wonders what the reaction would be if Britain were to adopt a "Committee on Un-British Activities." It would seem a most un-British thing to do, and certainly amusing.

Our own Committee on Un-American Activities also has its amusing aspects, and too many of us have brushed it aside as a curious eruption on the tough hide of our democracy—one that will go away in good time just as the Palmer Raids subsided eventually and Senator Joseph McCarthy of Wisconsin got his come-uppance when he took on the U.S. Army. It is easy to ignore the inherent danger to our constitutional liberties and sense of fair play as long as the targets are Communists, "radical" professors and students, and other disruptive members of our society. The fact is that the rights and liberties of *all* Americans are bound to the rights and liberties of *each* American, no matter how misguided or obnoxious his beliefs, associations, and preachments may be.

Although Congressmen enjoy a good joke occasionally, there are objections to the House Un-American Activities Committee which are so fundamental and constitutional that I believe it is the duty of Congress to set its own house in order and not wait for the Supreme Court to save us from our follies.

HUAC was created as a standing committee by a very close vote in 1945. At that time, Majority Leader John McCormack said: "If this amend-

PAGINATION INCORRECT

Congress of the United States
begun and held at the City of New-York, on
Wednesday the fourth of March, one thousand seven hundred and eighty nine

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the government will best secure the beneficent ends of its institution.

RESOLVED, by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all or any of which articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes as part of the said Constitution, viz.

ARTICLES in addition to, and amendment of the Constitution of the United States of America, proposed by the Congress, and ratified by the Legislatures of the several States, pursuant to the fifth article of the original Constitution.

Article the first. After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

Article the second. No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

Article the third. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth. A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

Article the fifth. No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh. Excess bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eighth. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and be informed of the nature and cause of the accusation; he shall not be compelled to give evidence against himself; he shall enjoy the assistance of counsel for his defence.

Article the ninth. In suits at common law, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of common law.

Article the tenth. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eleventh. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article the twelfth. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Attest

Frederick Augustus Muhlenberg, Speaker of the House of Representatives.

John Adams, Vice President of the United States, and President of the Senate.

Article the third..... Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances

ment is adopted, as far as I know, it will be the first time in history of this body that a committee of this kind was ever established as a permanent or standing committee." Since then there has never been a serious threat to the existence of the committee from the House of Representatives itself.

HUAC's legislative score, during its 20 years of life, is considerably less impressive. To date, not a single conviction under the legislation it formulated has been upheld in the Supreme Court.

The Committee spends over $300,000 a year running "show-off" hearings and keeping up voluminous files of unverified information. These files have been used, according to *The New York Times*, by anti-Negro agencies in Alabama. The director of the House Un-American Activities Committee, Francis J. McNamara, has stated that the staff replied to 3,800 requests for information from Congressmen in 1962 alone. On July 29, 1963, the Congressional Record contained 30 pages of material inserted by a Member of Congress from the committee's files. The material purported to prove that the NAACP was subversive. It suggests that the NAACP is infiltrated with Communists. Among the NAACP leaders whose reputations for loyalty to this country were besmirched are such distinguished Americans as A. Philip Randolph, Dr. Robert C. Weaver, Dr. Ralph Bunche, Solicitor-General Thurgood Marshall and Clarence M. Mitchell.

HUAC's basic mandate from the Congress is to investigate "subversive and un-American propaganda," in itself an infringement on the First Amendment. But what it actually does, besides building files from dubious sources, is to investigate people, not propaganda, for the purpose of exposing them to the general public and the press, as subversive. The press is often informed in advance who has been subpoenaed, a violation of committee rules. At HUAC hearings, the ordinary protections one has in a court of law are all but absent.

Punishment of an American citizen by bringing him before a Congressional committee "for the purpose of exposure" is a legislative trial and is unconstitutional, under Section 9 of Article I, which prohibits bills of attainder. A bill of attainder is, in effect, a judgment of guilt and punishment by a legislative body rather than in a court of law.

Yet we permit HUAC to punish citizen after citizen for prior actions, opinions and associa-

tions which are not crimes, but which the committee considers distasteful. Witnesses are called and subjected to publicity and exposure, in effect convicted by a legislative committee of associations or ideas which are not crimes but which the committee feels are punishable regardless. Loss of reputation and job follow as news of the legislative trial is spread on the front pages of the newspapers.

I do not want to leave the impression that it is hopeless to expect the House of Representatives to act regarding the committee, or that we must wait for the Supreme Court to proceed case by case to correct the abuses of this arm of the Congress. More and more, our highly respected newspapers, church organizations, and other groups are calling upon the Congress to put an end to HUAC.

I suspect, too, that the excesses of the Radical Right in vilification of such people as Chief Justice Earl Warren and Dwight Eisenhower have awakened to their responsibilities as citizens those who had been silent so long as the super-patriots were denouncing egg-heads and liberals as un-American and willing tools of the Kremlin.

Unfortunately, some critics of the committee took comfort in the announcement that HUAC would investigate the Ku Klux Klan. They may hope that HUAC will now go after the Radical Right with the vigor it has heretofore reserved for causes on the left. It is ironic that if there is one institution that is peculiarly "American," it is the Klan. We can't blame the Klan on the Soviet Union.

College students protest HUAC's activities

Photo: U.P.I.

The point is that *acts* by Klansmen—or Communists, or anyone else—which threaten the rights and lives of other American citizens, should be punished. But their right to speak openly their misguided, and in some instances loathsome views, cannot be restricted without imperiling the liberties of us all. Investigation by the House Un-American Activities Committee, or any other committee, of the KKK is not what is needed. What is needed is the enforcement of the law against members of the Klan or any other group who deprive people of their civil rights by threats, intimidation, bombing, and murder. New federal laws are needed to protect the civil rights guaranteed in the Act of 1964 and in the Voting Rights Act of 1965.

Photo: J. Maschhoff, U.A.W.

Rep. Don Edwards (D, Calif.)

The proper committee to draft this legislation is the Committee on the Judiciary where both of these historical acts were drafted. That committee, composed of 35 lawyers, has never gone about the country garnering headlines by "sensational exposés" of people the FBI knew about all the time.

I am convinced that a substantial majority in the House of Representatives is opposed to the existence of the House Un-American Activities Committee and would welcome the transfer to the Committee on the Judiciary of all matters affecting the internal security of our country.

What the House of Representatives needs in order to act is a more vocal support from those back home. We owe it to ourselves and to our heritage to do better by the First Amendment.

The 89th Congress made important gains in changing rules which allowed a handful of powerful men to bottle up needed legislation year after year. I hope that the 90th Congress on opening day will remove another outmoded institution which demeans and belittles the Congress, by abolishing HUAC.

Don Edwards is the Democratic Representative from the Ninth District of California. He is national chairman of Americans for Democratic Action.

Wall St. Jnl.
Labor Politics 2/28/66

AFL-CIO Sees Attack on Johnson Policies Spurring a Conciliatory White House Mood

By a WALL STREET JOURNAL *Staff Reporter*

MIAMI BEACH — AFL-CIO officials are beginning to think that their week of sharp attacks on a series of Administration economic policies is producing the desired results.

This thinking could be somewhat wishful, tempered by the distance from Washington, the Florida sun and the venting of the union officials' earlier sharp anger at the Administration. But they read remarks over the weekend by President Johnson and Secretary of Labor Wirtz as somewhat conciliatory. Federation chiefs think the White House doors will be open somewhat wider to them when they return to Washington so they can discuss their points of irritation with the President.

These points are chiefly the Administration's reported position on an increase in the Federal minimum wage, its wage guideposts, and what union officials consider too great a preoccupation by the Administration with the threat of inflation.

The main purpose of attacks by AFL-CIO President George Meany and the federation's Executive Council over the past week on these matters has been to convince Mr. Johnson that the union officials are in a high state of unhappiness and that it is necessary for the President to sit down with them and talk out their troubles.

As they read the remarks by Mr. Johnson in his news conference Saturday and by Mr. Wirtz in a television appearance Sunday, chances are improved for down-to-earth discussions leading to some decision, particularly on the minimum wage. It wasn't so much what the President and Mr. Wirtz specifically said but the general tone of their remarks that lead to this belief. The President's comments were viewed as seeking to avoid any open troubles with the labor movement, and Mr. Wirtz' remarks were looked on as far softer than his private comments to union chiefs last Monday.

It isn't certain yet when the discussions with the President will take place on what increase the Administration will support in the Federal minimum wage. But the feeling here is that they could come sometime this week.

The federation has been demanding an increase in the current $1.25-an-hour minimum to $1.40 this year and to $1.60 in 1967. There have been reports that a recommendation before the President calls for delaying the increase to $1.60 to 1968 or later. It's evident that some compromise may be forthcoming, but the union chiefs want to work it out in direct consultation with Mr. Johnson and the Democratic leadership in Congress. Until now, they feel they have been left out of what they consider a matter extremely vital to their interests.

In public statements over the weekend, the AFL-CIO council again attacked the Johnson Administration's 3.2% wage guideposts—aimed at keeping pay raises in line with increases in productivity—but this was expected. The council's statement attacking the Administration for paying too much attention to the dangers of inflation and not enough to further reducing unemployment was also to be expected.

Mr. Johnson, in his weekend news conference, didn't give any indication he was about to retreat from either of these positions. Indeed, the disagreements on these points between the Administration and the federation could lead to future troubles. But AFL-CIO officials are more impressed at this point with the fact that Mr. Johnson carefully avoided any hostile remarks about the attacks made on his policies by the AFL-CIO council meeting last week.

EV — Labor - Relations

AFL-CIO Leaders Seem to Have Averted A Threatened Major Break With Johnson

By JOHN A. GRIMES
Staff Reporter of THE WALL STREET JOURNAL

MIAMI BEACH—Despite noises that seem to run to the contrary, AFL-CIO leaders suddenly appear to have averted what threatened to be a major and open break with President Johnson.

The danger of a break, federation officials concede, was very real. It stemmed from the anger and frustration of union men at the defeat of their efforts to win repeal of state "right to work" laws, their inability so far to win Presidential approval for Congressional passage of a Federal minimum-wage law they regard as acceptable, what they read as rising Administration emphasis on union wage gains as a threat to economic stability, and a host of other irritations.

But after three days of Executive Council meetings, federation leaders think they are bringing this disorganized anger under control and directing it away from ground where a break with the President is threatened. "The significant thing that's happening is that people are treading very carefully in this territory," says one union official. Adds another: "This was thin ice, and they walked across it."

Other union officials note that even though AFL-CIO President George Meany at a press conference Tuesday directed what was obviously a warning to the Democratic Party that labor might not be a taken-for-granted ally in the fall elections, he was careful to keep the outburst from involving the President. Mr. Meany declared that the federation would be "more choosy" about the Congressional candidates it backs this fall if its views on such key legislative items as minimum wage and revising the unemployment-compensation system are ignored by the Administration and the Democratic Congress It's understood that the federation's high command talked of the possibility early in the week of withholding money from the Democratic National Committee, allocating political funds directly to particular candidates.

"We can make our own way without the Democratic or Republican Party," Mr. Meany declared. "I don't buy the idea that we have to toady along behind any particular party. I don't buy the idea that we have no place to go."

COPE to Intensify Efforts

Yesterday, however, the AFL-CIO's Committee on Political Education (COPE) voted to intensify its efforts to collect funds to help reelect liberal Congressional candidates—most of them Democrats—and to register more voters and turn them out at the polls. The success of both of these programs will mostly benefit the Democrats—and along with it the Johnson Administration.

Federation men know this well. But they also know that if they fail to give all the help they can to the reelection of the House and Senate liberals this fall, they will lessen their influence at the White House and in Congress.

Yet they are trying to establish some independence of political action with an eye to making the Johnson Administration and the Congressional Democratic leadership listen to the federation's views more carefully on matters that most directly affect the unions' interests. Indeed, there was a heavier emphasis than in previous years on the independence of the federation's planned political efforts this fall.

"The trouble with the tack being taken by some of these guys in criticizing Johnson directly is that they would have made the President an enemy, and you can't do that," says one AFL-CIO aide.

At the opening of the federation's executive council meeting here Monday, the AFL-CIO and President Johnson seemed to be headed for a direct clash. The week earlier had brought sharp and pointed criticism of Mr. Johnson from some union officials; resentment was expressed at what union officials considered Mr. Johnson's lack of support for repeal of the "right to work" laws. Federation men also were heavily critical of recommendations currently before Mr. Johnson that he support a Federal minimum wage well below what the AFL-CIO considers reasonable, and there was some support for cutting out any union contribution of political funds to the Democratic National Committee.

The dominant sentiment was enough to cause Labor Secretary Wirtz, who came here for a round of meetings with the union chiefs, to openly express alarm. He said he was "concerned" at the "apparent development of antagonisms" between the Administration and the federation. What worried Mr. Wirtz was the possibility that developing strains between the unions and the Johnson Administration and the Democratic leadership in Congress could endanger the passage of legislation that is a key part of Mr. Johnson's domestic program, including the higher Federal minimum wage and reform of the Federal-state unemployment-compensation system.

Mr. Wirtz, in his Monday meeting with the federation's Executive Council, in effect warned the members that by trying to publicly prod the President into a particular course of action they might run the risk of getting him angry at them, a suggestion not only rejected by most council members but in some cases resented.

The subject on which the federation currently is trying to prod the President is the Federal minimum wage. Union officials hear reports that Mr. Johnson's Council of Economic Advisers is recommending he support increasing the current $1.25-an-hour floor to $1.40 an hour this year and to $1.60 by 1970. AFL-CIO officials, though they have taken the position that the minimum should be raised to $2 an hour, are demanding an increase to $1.40 an hour this year, $1.60 in 1967 and $1.75 in 1968. Mr. Johnson has recommended to Congress that the level be raised but hasn't specified a figure.

Union Concern for a Victory

The federation would probably go along with an increase to $1.60 an hour in 1967 without the automatic increase to $1.75 an hour in 1968—but with the understanding that the lower level was only a "down payment" on future legislation raising the rate.

The argument over what the Administration finally recommends might seem to be narrow, but the concern about it runs deep. What the federation is seeking is to convince Mr. Johnson, by public pressures if necessary, that the federation must have a victory out of this session of Congress—and the minimum-wage increase is a key to this. If the union leaders can't show a victory to their members, AFL-CIO officials fear they won't be able to arouse the rank and file to the enthusiasm needed to turn out large numbers at the polls.

3-8-66

Burns Claims Union Support For Re-Election

TALLAHASSEE (AP) — Gov. Haydon Burns yesterday claimed his bid for re-election has the backing of the state AFL-CIO, the Communication Workers of America, and the Florida Federation of State, County and Municipal Employes.

He said an AFL-CIO state convention in Orlando last week voted to support him over Miami Mayor Robert King High and former state Sen. Scott Kelly of Lakeland. Burns said he received 249 votes, High 134 and Kelly 41 in a ballot of convention delegates. 3-8-66

He said he was "most gratified" to receive the support.

Labor and the Democrats

Here is a digest of a recent address by IAM President Roy Siemiller to the New School for Social Research, New York City.

By Roy Siemiller

The scope and breadth of trade unionism today extends far beyond collective bargaining and the processing of grievances.

When I was a youngster going into my first job the goal of unionism was simply to get enough to eat, to reduce hours and to protect the members from the more obvious abuses of arbitrary management decisions. Most of our early goals have long since been achieved.

Today we are concerned with larger goals. We are concerned with the total social and economic progress of the nation as a whole.

We know we have a responsibility not only to our own members but to those who are unorganized. Our concern extends not only to the aged but, yes, even to those who are still unborn.

This means, of course, that unions today are more than an economic institution.

For many years, in fact for generations, the American Labor Movement operated on what we call "bread and butter" principles.

We were primarily concerned with the problems of the work place. But we know today that the problems of the work place, the problems of workers, are affected for better or for worse by decisions that are made in 50 state capitals and most of all in Washington, D. C.

This means that union members must be concerned and must be active in the political life of the nation at all levels.

As you know, the labor movement in America, unlike those in many other countries, has not developed its own political party.

Beginning with Samuel Gompers' famous dictum that "Labor must reward its friends and punish its enemies," we have tried to secure our objectives within the framework of existing parties.

This has brought us into a position where most often —not always, but most often—we find ourselves supporting candidates of the Democratic party.

In the most recent election in 1964, the labor movement donated money and pounded the doors of the voters to get out a Democratic vote.

We did this because we had a commitment from the candidates and in the official platform of the Democratic Party that they would repeal Section 14(b) of the Taft-Hartley Act.

Right-to-work issue

Just let me say briefly that the right-to-work laws which this section authorizes have accomplished the fond hopes of those who inserted it in the Taft-Hartley Act.

Right-to-work laws have retarded the growth and weakened the strength of unions in those areas of the country where wages are lowest and where unions are the most needed.

14(b) has hurt the people, the working people, in vast areas of the country. Right-to-work laws have undermined the working conditions of the work force, not only in the states where these laws have been enacted, but in all states.

They have done this be creating unfair wage competition between states.

I am convinced that the Democratic party did not live up to its commitment to the labor movement or its own platform.

The President of the United States wears two hats: the one as the representative of all the people and the other as leader of his party, in this case the Democratic party. His is the responsibility for how the party performs.

The repeal of 14(b) was defeated, not by a vote of the Senate, but by a filibuster.

A lot of people blame Mike Mansfield for failure to break the filibuster. I don't blame Mike Mansfield. I blame the Democratic party. It was the Democratic caucus that elected him majority leader.

He is a creature of the party. If the party had wanted to break this filibuster they could do so in the same way they have broken filibusters in the past. Round-the-clock sessions, for example, would have broken the filibuster in less time than the debate on whether the bill was to be taken up for discussion.

Of course you might say that I'm blaming the wrong people and the wrong political party. You might say that the leader of the filibuster, Everett McKinley Dirksen, the junior Senator from my home state of Illinois, had something to do with it.

Having tasted this victory, he is now boasting that he will use the same tactics to defeat labor's other primary objectives in this Congress.

He tells us that he intends to lead similar filibusters to defeat a long overdue overhaul of the unemployment insurance system, as well as any meaningful amendment of the minimum wage law.

But how did Everett McKinley Dirksen get all this power? I am convined that he, too, is a creature of the Democratic party.

I am convinced that had the late President Kennedy not called Everett Dirksen to Washington in the midst of the Cuban missile crisis, the junior Senator from Illinois today would be U. S. Congressman Sidney Yates.

Sidney Yates ran a good race. He was a progressive and outstanding candidate. But when President Kennedy called Senator Dirksen to Washington it gave him an opportunity to go back to Illinois and inform the voters that the President needed *him*.

I am also convinced that somewhere along the line orders went out to cut Sidney Yates' vote on the west side of Chicago.

Had he received the vote that Democratic candidates normally receive in the west side wards, he, and not Everett McKinley Dirksen, would be the junior Senator from Illinois. This is why I insist that the Senate Minority Leader is a creature of the Democratic party.

Unfair guide lines

As you can see, I'm pretty bothered, and perhaps even cynical, about what's happening in Washington today. I'm concerned not only by what is happening to wage-earners on the legislative front, but on the economic front as well.

Like most union officers and an increasing number of union members, I am concerned that while the profits of management are sky-rocketing out of sight, the major emphasis of the President's Council of Economic Advisers is to hold down wages.

If the so-called economic guide lines were fairly set and fairly administered, we in the labor movement would be willing to take another look at them.

But these guide lines have a number of built-in inequities which are costing workers their fair share of the fruits of their rising productivity.

In the first place the Council of Economic Advisers has set a very definite and stated ceiling of 3.2 per cent on wage increases.

This is supposed to correspond to the annual rise in productivity. But there is no definite and stated ceiling on prices. This is because productivity varies so widely from industry to industry. In most industries, nobody really knows what it is.

The Bureau of Labor Statistics prepares productivity figures for only a relatively few industries, and many of these are unimportant.

The second inequity grows out of the nature of collective bargaining itself. When a union intends to bargain for a new contract it must give industry 60 to 90 days notice.

This gives the Government ample time to exert all kinds of pressure on the union to hold its wage proposals within the so-called guide lines.

But when an industry wants to raise prices, it doesn't have to notify anyone. It just raises prices and the Government is presented with an accomplished fact.

Economic danger

And it's harder for the Government to move in *after* prices have been increased than before wages are raised. This inequity is so apparent that Congressman Celler has proposed a bill which would require industry to give 60-day notice of price increases. But I haven't seen the Council of Economic Advisers rushing to get on the bandwagon for this proposal.

Third, though the Council says that productivity is rising at an annual rate of 3.2 per cent, it arbitrarily changed the rules in mid-stream in order to maintain that figure. Where it had previously used a 5-year moving average, which means that this year it should have dropped 1960 and added 1965, thus getting a 3.6 per cent increase in productivity, it suddenly switched to a different method of computing its figures.

The result is unions are still stuck with the 3.2 per cent rate.

Actually during the past 5-year period, real wages have not even come up 3.2 per cent per year. They've increased only 3 per cent annually.

Since the workers have been short-changed we must ask who's getting the benefit of our increasing productivity. The answer isn't hard to find.

From the first quarter of 1961 to the fourth quarter of 1965, corporate profits increased by an average of 14.3 per cent after taxes each year. This is a fantastic rate of increase. And I think it spells danger for our economy.

We say we have a capitalist system but more truthfully we should call it a consumer economy. Our system is based on the ability of people to purchase the product of their labor. Our economy cannot remain *healthy* if productivity and profits continue to out-run wages and purchasing power.

It is the responsibility of the labor movement to see that they do not. When I say that union members are concerned about the inequities of the giude lines, I mean just that. This is not an artificial issue being whipped up by the leadership. The grass roots are really stirring.

Just before I was getting ready to come here, I received a copy of a very interesting and informative telegram which an IAM Lodge in New York sent to President Johnson, Willard Wirtz, Jacob Javits and Robert Kennedy. Here is what it says:

> "Airline Lodge 1894 has, by unanimous acclamation, on February 23, 1966 at its regular meeting, instructed the Executive Board of this Local, to inform you, that it rejects in total, the concept of the 3.2 per cent Presidential wage increase guide lines.
>
> "It has no intention of conforming with it.
>
> "It further demands that its international exceed 3.2 per cent in its current negotiations until such time that a similar 3.2 per cent guide line is imposed on professional services, executive salaries, and corporate profits.
>
> "To do so, 3.2 per cent must be widely exceeded.
>
> "We will have no part in undermining the prosperity of the majority of America's people, its workers."

This telegram tells you much more effectively than I can how the rank and file feels about these unfair and one-sided guide lines.

Go-Go Union

Despite the political and economic roadblocks that face us and despite those who are always ready to dance on labor's grave, the labor movement has never been healthier. And this is particularly true, I am happy to say, of the Machinists Union.

Ours is the most diversified and complex union on the North American continent and possibly in the world. Our membership is employed in every kind of job in every industry.

We represent auto mechanics and cab drivers, airline employees and railroad craftsmen, factory workers and electronic engineers, apprentices and journeymen, floor sweepers and tool and die makers, government employees and missile technicians.

You name the job and chances are that we represent it somewhere in the United States and Canada.

Our representatives must know more about more industries and more laws than those of any other union.

And yet, I believe that our diversity gives us more strength and flexibility than any other union.

We know how to represent many kinds of workers and, as the ad slogan goes, "We must be doing something right."

For the past year, we have been increasing our membership at an average rate of 5,000 new members a month.

We are organizing the unorganized. We are organizing the younger workers.

I say this with some pride because there are those who claim that unions no longer have the "public image" that will attract youngsters who don't remember how things were before unions made them better.

We face the future with confidence. We believe that with the stronger financial base our members gave us a little over a month ago, we can do even more to serve the members we have and to organize those who need us.

So long as I am president, the basic goals of the IAM will be to organize aggressively, to bargain effectively, and to serve our members as well as we can in the work place and in the community.

3/22/66

Meany Says Democrats Need AFL-CIO More Than It Needs Them

Labor Politics

Wirtz, in Prior Speech, Seems Conciliatory on Construction Unions' Dislike of Guidelines

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — AFL-CIO President George Meany, in his strongest declaration of independence from the Democratic Party yet, declared that the Democrats need labor more than labor needs the party.

Mr. Meany's remarks were made in an off-the-cuff speech before the annual legislative conference of the AFL-CIO Building and Construction Trades Department.

Earlier, Labor Secretary Wirtz gave another indication that the Administration has decided to avoid public battling with the unions over the President's anti-inflationary wage guideposts. In a speech to the craft union conference, Mr. Wirtz praised the unions' record in backing programs that are in the public interest, but he didn't once mention the word "guideposts." Instead, he spoke guardedly about the necessity of maintaining wage and price "stability" in the construction industry.

Mr. Meany's speech underlined the continuing discontent among union leaders at the failure of the Democratic leadership in Congress to help push through labor-backed measures.

But Mr. Meany was careful to aim his fire at the Democratic Party, and not directly at President Johnson—even though some union chieftains still grumble privately that defeat of a bill to repeal state "right-to-work" laws, which outlaw the union shop, was due to tepid support from Mr. Johnson.

Mr. Meany declared that "I don't buy the idea . . . that labor needs the Democratic Party. I'm sure it is the other way around." He added that labor couldn't buy "either party." The Democrats, he said, "cannot deliver" on legislation and the Republican Party seems to be under the control of "financial interests."

"So I would say," Mr. Meany said, "that we have got to take a new look at our political action." This means, he added, that unions must work through the AFL-CIO's Committee on Political Education and that "we don't work with any political party, whether it is Republican, Democrat or anything else."

In practical terms, the Federation's adherence to this position in the fall Congressional elections would mean that union money and manpower would be ladled out only to those candidates judged most likely to support union views on legislation. This wouldn't help many Republicans, but it will mean that AFL-CIO unions won't "go along" as easily as in the past with the local Democratic organization candidate, particularly in the South.

For the most part, however, the aims of the Democratic Party and the AFL-CIO in trying to reelect the heavy "liberal" Democratic majority in Congress will coincide. The federation has made the reelection of some 50 freshmen Democratic lawmakers a top priority project.

Atl Jnl. 3/28/66 Labor Politics

Democratic Candidates Are Angry

By ROWLAND EVANS and ROBERT NOVAK

Washington.

ANGRY Democrats worried about the 1966 campaign have given up on the Democratic National Committee and are quietly planning an elite, behind-the-scenes directorate to handle the crucial congressional election.

Although the idea is still in the talk stage, it reflects the total disillusionment, tinged with growing anger, over the committee's haplessness.

Scarcely a cent of the $600,000 raised in last summer's big congressional campaign dinner has yet found its way into the Democratic campaign fund of the House.

In fact, as of six weeks ago, the national committee had not paid all the bills that resulted from that dinner.

That's only the start. The committee's much ballyhooed services to freshman Democrats are being savagely reduced.

WORRISOME

Last year the committee made available to Democrats in Congress three telephone lines, over which political messages to the voters back home could be recorded instantly.

Members used the device to declaim against sin, promote the Great Society, and advertise themselves.

Now, however, two of the lines are down to save money. The third is often not available for the simple reason that the White House can preempt it at will.

As a result, members with something timely to say find that their recorded statements, which the committee is supposed to deliver to home-

town radio stations, often can't be recorded until it's too late.

Far more worrisome to the professionals is the national committee's failure to get moving on the 1966 campaign.

One by one, vital divisions of the committee, such as the division to register new voters, have been drained of operating funds and manpower.

One prominent Eastern seaboard Democrat in the House describes the present condition of the national committee as "absolutely disgusting." It is a widely held view.

That's why serious consideration is now being given to setting up an informal but high-powered directorate of perhaps half-a-dozen political experts to guide the congressional campaign.

One obvious candidate for a key role in this inner directorate: Al Barkin, savvy head of organized labor's Committee on Political Education, known as COPE.

Barkin is outraged by what is not going on at the national committee. He has pleaded, begged, and cajoled the White House, and now is quietly warning that any more delay by the national committee in gearing up for the campaign could have an exorbitant cost in Democratic seats next November.

National Committee Chairman John W. Bailey, who also doubles as Connecticut state chairman, has little power today.

NEOPHYTE

The President's man there is not Bailey but its executive director, courtly, amiable Clifton Carter, an old political lieutenant of Mr. Johnson's from Texas.

However, Carter himself is now wholly occupied with fund-raising to pay off the debt. Besides, Carter takes orders from W. Marvin Watson Jr., the White House appointments secretary and confidential presidential assistant. But Texan Watson is an unknowledgeable neophyte in national Democratic politics.

Professional Democratic politicians from the North give both Watson and Carter A for effort in at least trying to reduce the committee's $3 million - plus deficit. But the campaign, the professionals fear, is simply beyond the capability of the Watson-Carter duo.

That's why they are turning to Barkin and O'Brien, whom they view as dependable havens in a storm.—(c1966.)

Labor-Pol. — Ala.

It's Elliott all the way with Alabama labor

Former Congressman Carl Elliott has won the overwhelming endorsement of the Alabama Labor Council for Governor in the May 3 Democratic primary. The vote was 407 to 18.

A 70-man IAM delegation led by State Council of Machinists officers T. E. Helton and Charlie J. Wilson went on record unanimously for Elliott, Don Ellinger, national coordinator for the Machinists Non-Partisan Political League, reports.

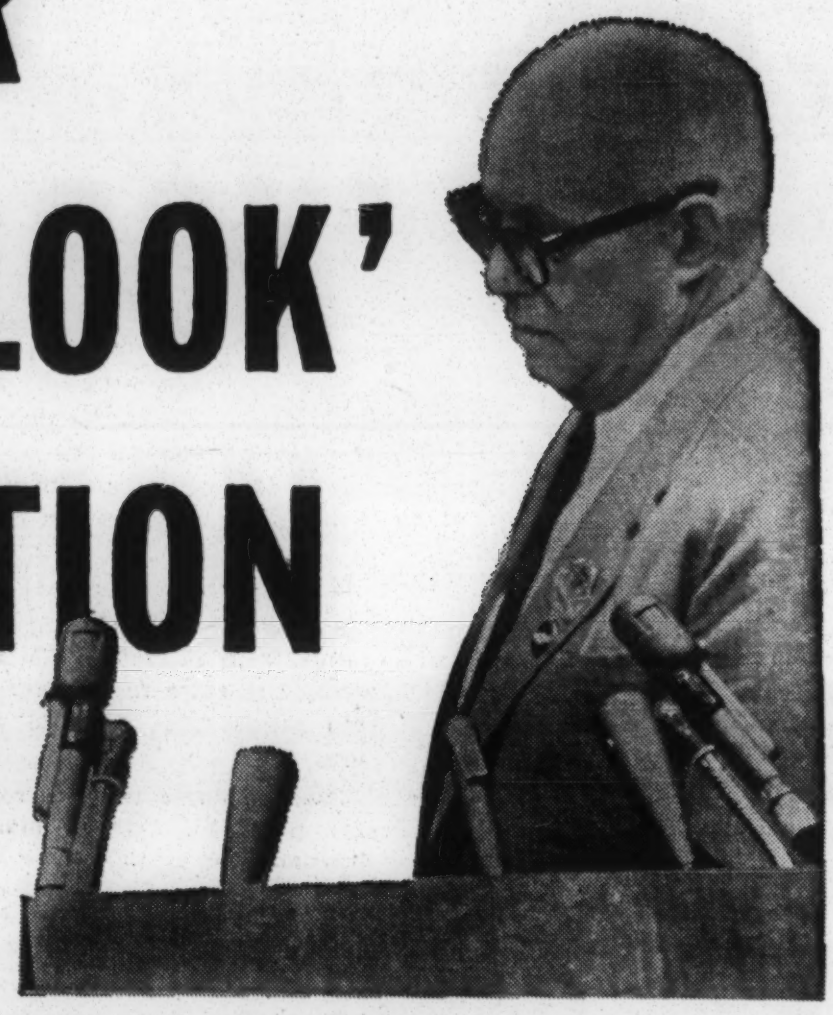
During his 16 years in Congress, Elliott repeatedly proved his fair-mindedness to labor as a member of the House Education and Labor Committee and the House Rules Committee. In accepting Alabama labor's endorsement, Elliott told the delegates:

"The Elliott Administration will not 'bribe' potential industry with promises of cheap labor. Instead we are going to lay it on the line, and we are going to sell industry on the advantages of setting up shop in a state where people take pride in their work, give an honest day's work for an honest day's pay, and are as highly skilled, as highly trained and industrious as any people on earth."

Alabama labor also endorsed four Congressional candidates: Judge Richard E. McPherson, 1st District; Franklin H. James, 2nd District; Ed Pepper, 4th District; and Gary Burns, 7th District. Guy Sparks was endorsed for State Attorney General.

Labor — Politics

LABOR takes a 'NEW LOOK' at POLITICAL ACTION



'You can't buy either party,' says George Meany. 'This means that we work with COPE and support people rather than labels . . .

By George Meany
President, AFL-CIO

THERE is a vicious propaganda campaign going on, spearheaded by the employer organizations. This campaign is directed against the American trade union movement. The public is being told, from editorial pages, from slanted news, from articles in our slick paper magazines, that American labor is too powerful, that it has too much political power, that it is a bad influence on the economy of the country as a whole. They hold over the heads of the American people the threat of inflation and they tie that to what they call the unrestricted power of unions to exact exorbitant wage demands. In other words, the country is facing a catastrophe, we are told, and the culprit is the organized labor movement.

Let me say something about power. We know what power is. We meet it across the bargaining tables. We see it in the management structure from one end of this country to another. I have no objection to a powerful trade union movement and I don't see why anyone else should have an objection so long as that power is directed toward the good of the country as a whole.

And I contend that when we improve the standards of life of all of the American people, when we build up the purchasing power that keeps this dynamic economy of ours the envy of the entire world, when we fight to eliminate disease and poverty, when we struggle to bring millions of people under the minimum wage law—people who do not belong to our unions—when we use our dollars and our prestige and our time in order to build up democracy in South America and Africa and Asia on the very simple theory that by building up democracy in those lands we make democracy a little safer here at home—when we do all of these things, when we contribute one-third of the money contributed to the great charitable organizations in this country, when we do all of these things I submit that we are using our power for the good of the country as a whole, not selfishly for ourselves.

Yet we hear this charge that labor is going to be responsible in advance for a catastrophe that is supposed to be hanging over our heads. It's a funny thing about some of these economics professors. It seems that there are two kinds of money in this country: the money that goes into the pay envelope of the worker in some way contributes to inflation; the money that goes into the astronomical profits which we read about every day—one corporation after another breaking one record after another; the tremendous dividends which are distributed; the fabulous salaries to the corporation executives; the stock option plans by which they get some kind of special treatment—that kind of money is not inflationary; it is only the money that the fellow in overalls gets in his pay envelope that is inflationary, according to these economic jitterbugs who predict our ruin.

Industry's Lobbyists at Work

We have millions of people in this country who are not under the minimum wage law, who get less than $1.25 an hour, and I can tell you they get a whole lot less than $1.25 an hour. There are industries which are not covered, simply because the people running those industries have been powerful enough as lobbyists in Washington to keep these people from the coverage of the minimum wage law.

We have tens of thousands of people in this country who are fully employed—fully employed, but also on relief. We are told that the subsistence level for a family in this country—just a bare subsistence level—is something over $3,000. And still we have these millions of people outside the minimum wage law getting less than $1.25 an hour. And let me say to you that $1.25 an hour is a poverty wage. Even so, we are told by these economists, some of them on the government payroll, that a substantial increase in the minimum wage to a $1.75 or $2 level would bring about tremendous inflation.

And we are told—I only heard this the other day—that the attitude of these economists toward the minimum wage law is that it must be within the "guidelines." So you tell somebody who is getting 50 and 60 cents a hour—and that is not a figure plucked out of the air, that is an actual figure being paid in laundries in Washington—you tell them that they have to be governed by the "guidelines" in any legislation raising the minimum wage.

We don't know what is going to happen to the legislation that we seek, such as the minimum wage, but I think the time has come for organized labor to analyze its political situation and see just what it is that we must do.

Let's take a look at the Democratic Party. We find that most of the people who support the ideals and the principles of organized labor, most of the people who support better working conditions, decent hours, decent wages—most of them have a Democratic label. But that doesn't mean that the Democratic Party as a whole is the party of liberalism or the party of progress. Nor does it say that the Democratic Party can deliver its own members on Capitol Hill. We know full well that there are a substantial number of members of that party from the Southern part of this nation, who have a completely perfect record insofar as labor is concerned—they are 100 percent against everything we stand for. So it is quite obvious that if we are looking around for a party to adopt or control, we don't want the Democratic Party because they can't deliver.

Then you take the Republican Party, the party that is known mostly as the conservative party. However, we find a number of Republicans, on the House floor and in the Senate, who go along pretty well with labor's programs. The trouble is that the minute they get the reputation of going along with labor's program they lose whatever influence they have in the party. In fact, some of America's great men have been read out of the Republican Party because they didn't conform to the line as laid down by the financial interests, who somehow over the years seem to control these people.

Labor Looks at the Parties

So we can't say the Republican Party is the party of reaction and the Democratic Party the party of progress, because we do find within the Republican Party some people who are progressive and we do find within the Democratic Party some people who are definitely reactionary.

Now, you may say, "Well, are you thinking about setting up labor's own political party?" No, I don't think that would make much sense, because we have been going along under a non-partisan policy for many years. We are writing a record that cannot be equaled by any trade union movement anywhere else in the world, and we are the only major trade union movement in the entire free world that does not have a definite close affiliation with a political party.

So you can't buy either party. We don't want to set up our own party. So what do we do? Well, we follow the Gompers policy. And let me make this crystal clear. Every once in a while I read an anti-labor article in one of the papers or magazines which says that labor has drifted away from the Gompers policy, that Gompers was non-political. This is not so. Gompers was just as political as any other labor leader of his time, and perhaps more than most. But he was non-partisan. He believed that labor should support people rather than labels, and support them on the basis of their attitude and their voting record on the things in which labor is interested.

Now this means that we work with COPE, that we don't work with any political party—whether it is Republican, Democrat or anything else. And let me say, speaking for myself alone, that I don't buy the idea and there is nothing in the record to sustain the idea, that labor needs the Democratic Party. I am sure it is the other way around.

I am not the least bit pessimistic about what has happened. After all, in the field of labor legislation, going back over the years, we find that you get a setback now and a setback then. But in the final analysis, when you look at the picture from the very inception of the American trade union movement, right up to this minute, it has been a picture of constant progress, constant advance, constant improvement in the conditions of life and of work for the American wage earner and his family. And I am sure that it is going to continue to be that way.

Labor—Politics

Labor's Political Frustrations

A. H. RASKIN

A MOOD of frustration grips organized labor, and the thing that frustrates it most is the absence of any effective way to express it. Union leaders are angry at the White House and Congress. They are convinced that the administration's wage-price guideposts short-change unions; they are equally convinced that their pet bills get kicked around on Capitol Hill with no meaningful effort by President Johnson to save them.

Yet threats that labor will strike back by boycotting Democrats at the Congressional elections this fall have a hollow sound even to those who make them. In only a handful of districts will labor have anywhere else to go. The heads of the AFL-CIO and of its maritime and construction departments spent two rainy weeks in Florida in February, and their remarks about labor's political tribulations in Washington were as doleful as the weather. But a few days after they all got back to the capital, George Meany was at the White House to assure the President that they didn't mean any of it personally. Walter Reuther had already been there with the same message.

Despite these assurances, the reversal of political sentiment in recent months has been both abrupt and startling. Meany opened his presidential report to last December's Federation convention in San Francisco with this ebullient passage: "At no time in the ten-year history of the AFL-CIO has the United States seemed more surely on the road toward fulfillment of the American dream—the creation of a national society whose every member can fully and equally pursue his own destiny; a society from which poverty and economic fear has been banished; a society of true abundance for all. The New Deal proclaimed by Franklin D. Roosevelt in 1933 has come to belated maturity under Lyndon B. Johnson in 1965."

Less than three months later, in a news conference after the midwinter meeting of the AFL-CIO Executive Council, Meany wound up an acid review of labor's 1966 political disappointments with a flat declaration that it could get along quite well "without the Democrats and without the Republicans." That sounded for a minute like the prelude to formation of an independent Labor Party on the British model, but Meany lost no time in making clear that was not what he had in mind—at least not yet.

As he defined it, his idea was that unions could make their own way politically by being "choosy where we spend our money." He rejected the notion that labor had no option except to depend on the Democrats for political handouts. "Some of the Democrats seem to feel that we've got to go along with them, that we've got no other place to go," Meany said. "But if to go along with them means we go along with the Eastlands, the Sparkmans, the Herman Talmadges, Holland, Ellender, etc., we've always gone along without them. I don't buy the idea that we have to toady behind any political party."

BEFORE looking deeper into this proclamation of political emancipation, it is worthwhile to examine how much validity there is to labor's current complaints. On the guideposts, there is a good deal. The concept underlying these wage-price regulators remains sound, but it was always questionable that they could be made to work without excessive rigidity or unfairness. Labor has strong grounds for feeling that their application is hurtful to unions in a period when they are having a hard enough time demonstrating that they have not run out of function.

The guideposts were introduced in the 1962 report of President Kennedy's Council of Economic Advisers, with the expressed hope that they would spur widespread discussion of what standards the public could apply to judge whether wage-price decisions in major industries were "in the national interest." Since then, unratified by anyone, the guideposts have become institutionalized as the measuring rod of labor-management responsibility. Their fundamental tenet is that price stability can best be maintained by gearing total wage increases to the over-all increases in the productivity of American industry.

That idea was not invented by President Kennedy or by Walter W. Heller, his chief economic adviser, or even by that most active of activists, Arthur J. Goldberg, then Secretary of Labor. It got its first important acceptance in collective bargaining in 1948 when Charles E. Wilson, as president of General Motors, broached it as a means of giving workers and consumers a direct stake in expanded industrial efficiency; every Big Three auto contract since

then has embodied this "progress-sharing" principle. The anti-inflation preachments of President Eisenhower leaned heavily on the doctrine that keeping pay and productivity in balance was the only dependable safeguard against a price spiral; all that Kennedy did was to turn a sermon into a formula.

Neither he nor anyone around him intended the formula to become a straitjacket into which every individual corporate and union decision would have to fit. On the contrary, the 1962 report accented the importance of encouraging maximum flexibility at the bargining table to take account of the distinctive problems in each industry. Employers with labor shortages and low wage scales were advised to exceed the productivity yardstick on higher wages; those with an ample labor supply and high scales were urged to do the opposite.

Thus the guideposts left plenty of room for correcting inequities and even for changing the division of the economic pie between labor and capital so long as the bill was not passed on to the rest of the economy in the form of higher prices. In general, the CEA urged price cuts where productivity or profits were high as a counterweight to any price increases that might have to be made in low-productivity fields.

Whether the necessary elasticity ever could have been maintained in such a system of voluntary restraints is doubtful, but whatever chance might otherwise have existed evaporated when President Kennedy collided with the steel industry over prices in April, 1962. After that crackdown the White House had to give earnest after earnest of its intention to be as resolute in defending the public interest against union excesses as it had been in running a bulldozer over Big Steel.

Sacrosanct 3.2

The result was the translation of the formula into a precise figure of 3.2 per cent, which miraculously became the touchstone of equity under any and all circumstances. That is, it became the magic number for all industries big enough to be visible from the portico of the White House. Such highly spotlighted national negotiations as those in steel, autos, aluminum, railroads, and shipping had to pass scrutiny on how well or poorly they conformed to the guideposts.

No comparable inhibition restrained unions in industries like construction and trucking, where settlements often have a much more direct impact on living costs than those in mass production. These unions do much of their negotiating on a local or regional basis and thumb their nose at the productivity standard. Yet, even with all the fat contracts the building-trades unions and the Teamsters have dragged through this side door, and the over-ceiling raises other powerful unions have obtained from corporate giants, improvements in the total wage level

have barely kept up with rising productivity in the five years of the Kennedy-Johnson boom.

Indeed, the best available Federal statistics indicate that in manufacturing and most other major sectors, the average pay increase has fallen short of the 3.2 per cent annual measure. The CEA itself acknowledges in its 1966 report that "Wage movements of recent years must clearly be characterized as moderate." This is not to say that workers in the basic industries are suffering; the consistent availability of overtime work at premium pay, especially in autos and steel, has more than made up for any lag in basic hourly rates. The real shutouts, as usual, have been workers in the traditionally low-wage fields, where union organization is spotty, runaway competition keen, and skill requirements minimal.

The union complaint against the restrictive effect of the guideposts is heightened by the omission from the 3.2 per cent barometer of any allowance for the erosion that rising prices have inflicted on pay checks. The increase of one and a half to two per cent a year in the consumer price index has made a mirage of half of the increase in purchasing power the productivity formula is supposed to assure the workers.

The difficulty, of course, is that any adjustment the CEA might authorize to offset the shrinkage in the dollar and thus provide a "real" increase of 3.2 per cent would itself contribute to more inflation. It is the same dilemma that brought wage-escalator clauses (under which pay rates automatically rise or fall with the price index) into economic disfavor in the Eisenhower era. The steel industry finally got rid of its escalator in 1960 on the ground that it had become a generator, rather than a corrective, of the inflationary spiral.

Gripes and Pinches

Labor has two other big gripes against the guideposts. The first is that they operate to hold down wages while profits are allowed to soar unchecked. The other is that the formula itself was changed this year—without any semblance of collective bargaining—to rule out what should have been an automatic advance of 3.6 per cent instead of 3.2. The CEA merely decreed that 3.2 per cent was more reflective of the rate at which efficiency is likely to rise this year than the 3.6 improvement average for the last five years. The President agreed, and labor decided it had to hit the ceiling—and go through it.

The second complaint might have been less virulent if the spectacular rise in corporate earnings had not made labor's sensibilities so touchy about the first. Industrial profits after taxes have gone up five times as fast as average factory wages in the New Frontier-Great Society period. It is true that since profits started at a relatively depressed level and since they always fluctuate with

the ups and downs of the business cycle in a way that wages don't, such a comparison does not really tell very much about how equitably the fruits of prosperity are being divided. Nevertheless, even a labor movement that often outdoes the United States Chamber of Commerce in extolling free enterprise has found it hard to remain mute while returns for investors race from one Himalayan peak to a still higher one. Thus, when General Motors reported pre-tax earnings last year of $4.1 billion and after-tax earnings of $2.1 billion, the labor press promptly informed union members that a G.M. worker would have had to earn $8,000 a year for more than half a million years to make as much as the company did before the tax collectors put in their bill.

The CEA recognized from the outset that voluntary wage limits would be vulnerable if the principal result of sitting on pay envelopes was to enrich corporate treasuries. In its 1964 report, with the recovery well advanced and profits shooting skyward, the Council underscored its initial suggestion that price reductions be used as a device for moderating profits and cutting the consumer in on productivity's blessings. It noted dourly that "large industrial enterprises thus far have not widely heeded this advice" and it warned that the resulting pile-up of profits was liable to constitute a lure for strongly intensified wage demands.

ACCURATE as that warning has proved, it is only fair to point out the complexities that a giant corporation like General Motors would have faced if it sought to reduce the embarrassingly high level of its profits by giving its workers more or charging its customers less. The last Big Three auto settlement, under a pattern initiated by Chrysler, called for package increases substantially above the 3.2 per cent figure. If G.M. had gone higher still, its action would not only have pushed up the ante for all American employers but would also have enabled it to pirate skilled labor from its automotive competitors in a time of incipient labor scarcity.

Lower prices for G.M. cars probably would have proved even more dislocative in their impact on Ford and Chrysler. Certainly American Motors, already on the ragged edge, would have been hard pressed to match the cuts. Even putting more money into G.M. safety or quality would reflect itself in greater dominance over its market by this biggest manufacturing enterprise.

It is precisely because union leaders are aware of the difficulties in-

herent in any attempt at profit control that they have been so bitter at the administration's decision to keep the wage lid at 3.2 per cent this year when adherence to its own original standards would have pushed the figure up to 3.6 per cent. The technical reasons for the decision are too intricate to warrant rehearsal here, except to say that a strong economic argument can be advanced for what the White House did. But it is inescapable that the galling effect for labor was to deny it more *Lebensraum* on wages while the rich got richer without restraint.

THE PINCH of the formula will be felt particularly now because employers, especially those in industries requiring a high proportion of skilled employes, are worried about holding their help. They are amenable to jacking up wages to attract more workers, and unions that fail to press for increases well above the LBJ standard may find the rank and file taking command through wildcat strikes and the rejection of negotiated settlements. This already has emerged as an internal union problem in Midwest metalworking industries, where the manpower shortage is most acute.

The upshot has been a flat notice to the President by Meany and the rest of the AFL-CIO high command that the economy needs "a rapid restoration of balance between business profits and workers' buying power, rather than an increasingly unbalanced lag of wages and salaries behind profits and dividends."

The clincher in this warning that labor no longer intends to countenance the guideposts is apt to prove even less welcome at the White House. It pledges labor's support if the President certifies the existence of a national emergency requiring formal controls over prices, profits, dividends, executive salaries, bonuses, and stock options as well as wages. So far there has been no official response to this "equality of sacrifice" proposal.

Interestingly enough, while labor is declaring war on the administration's method of keeping wages in bounds, industry seems to have found a sophisticated and pragmatic way to coexist with the guideposts on the price side. The philosophic objections by top industrialists remain as vocal as ever, but they now shun dramatic confrontations of the type that produced the 1962 steel crisis. The current strategy is to make the White House an ally, rather than a foe, by submitting proposed increases for advance inspection by the CEA.

By way of making sure that the CEA will not gag at the proposals, the steel companies—with U.S. Steel in the vanguard—have coupled selective increases with downward revisions in a mixture so baffling that for weeks no one can tell precisely the end effect on the total price list. Quiet missionary work by the administration resulted in a rollback of higher cigarette prices by R. J. Reynolds, and there is reason to suspect Washington had a hand in persuading newsprint makers to cut in half an announced price rise of $10 a ton. These evidences of industry co-operation in fighting inflation coincided with a reverse demonstration by Pete Weber, who

succeeded Joey Fay as head of the Operating Engineers in northern New Jersey. Weber, whose members now get well over $6 an hour, negotiated a contract providing increases of 7.5 to 9 per cent a year. When the CEA called him in to protest, he reopened the contract—to demand a still higher increase.

Durable 14(b)

On the Congressional front, the great letdown for the unions came with the administration's surrender to Senator Dirksen on repeal of the "right-to-work" section of the Taft-Hartley Act. The bill to knock out Section 14(b) and thus strip the states of their present authority to outlaw the union shop was the first purely labor measure on the AFL-CIO "must" list since President Kennedy's inauguration.

Until last year, unions had put all bread-and-butter bills in a secondary category and concentrated their lobbying on the bills for which the White House wanted priority in the general interest. The Federation overrode its own protectionist elements to back the Trade Expansion Act. Next it went all out for the Kennedy-Johnson tax cut, even though all of labor's favored ideas on closing tax loopholes and on preventing a major share of the reductions from going to corporations and millionaires quickly went into the ashcan. Finally, it brushed aside the reservations of Jim Crow unions and fought for an even stronger Civil Rights Act than the administration had originally recommended.

When the House of Representatives voted to repeal Section 14(b) last July, labor foresaw an easy triumph in the Senate. Relations with the White House were more cordial than they had been under Kennedy, Truman, or FDR. In fact, Johnson was telling his intimates that there were no two men in Washington he could trust so completely as Meany and Andrew J. Biemiller, the AFL-CIO's chief legislative representative. The President invited them both to fly out to the Truman Library in Independence, Missouri, in *Air Force 1* so they could be with him when he signed the Medicare bill.

A chill began to descend over the relationship when a Dirksen-engineered filibuster prevented the "right-to-work" repealer from coming to a vote last year. But the session had been so full of Great Society accomplishments that labor could forgive Johnson for not wanting to do any more arm twisting. Its forbearance gave out this year when the administration put up only token resistance to a Dirksen repeat performance. The unions were irked most by the evidence of two test votes that they had enough support to get the measure through the Senate if they could ever get a majority decision on the merits. But the two-thirds margin needed to stifle the filibuster was obviously unobtainable, and the administration meekly folded its tent.

Labor's next run-in with the White House was over liberalization of the Federal minimum wage of $1.25 an hour. The unions have set $2 as their idea of an appropriate wage floor, but they were willing to compromise on a three-step rise to $1.75. The CEA took the view that the 3.2 per cent anti-inflation standard ought to govern improvements in the minimum; otherwise a rise would jeopardize price stability by unsettling wage relationships all the way up the economic ladder. A meeting between Meany and the President finally brought a compromise, under which LBJ said he would not veto a bill that pushed the bottom wage up to $1.40 next February 1 and $1.60 a year after that. But he left it up to labor's lobbyists to muster the necessary votes on Capitol Hill.

Who'll Offer a Choice?

Will the product of all this bickering be a decision by the AFL-CIO to sit on its hands in the November election? The best answer was undoubtedly provided by Meany himself at the December convention. He made it clear that he could see no excuse for the 14(b) repealer failing to pass if labor's friends in the Senate worked as hard for it as labor had worked for them. But he added that he knew of "no more foolish and dangerous nonsense" than the idea that union members should express their resentment against such a failure by pulling out of labor's political-action programs. To do so, he said, would be to give labor's enemies a double victory, eliminating the unions "as an effective force in American political life."

Meany's tone had changed a good deal by the time he got to Florida after the filibuster had won and the guideposts had been juggled to labor's displeasure. But the logic is still the same; politics remains too basic a determinant of labor's welfare for it to go fishing at election time. The real question is whether the Republicans will ever provide it with a genuine choice—and that doesn't mean Goldwater. One man who appears to be trying is Governor Rockefeller in New York, who beat the Democrats to the punch by proposing a faster step-up in the New York wage floor than ever came out of Washington horse trading. But Rockefeller's wooing of the labor vote is not the conventional Republican style. So the virtual certainty is that once again the vast bulk of labor's endorsements and campaign cash will go to Democrats. Even if there were any real sentiment for an independent Labor Party—which there isn't—unions are so estranged from most of the liberal-left movements these days that nothing approaching a coalition is possible. For all their current frustration, the unions have become too integral an adjunct of the American Establishment (Democratic Branch) to play any vanguard role in effecting a basic political realignment, much less an upheaval.

The place where their unhappiness will express itself most is in more pressure and more strikes for that oldest of union goals—"more." The sad part is that each such strike, particularly where a key industry or a vital municipal agency is shut down, will simply alienate a few more of labor's old supporters and leave it more isolated as a political force. The productivity yardstick, despite the patent inequity with which it has operated, remains a better protection against inflation than a dreary resumption of the wage-price leapfrog that did so much to cheapen the dollar after the Second World War. Neither workers nor the rest of the community gain when higher wages are eaten up by still higher prices. The administration will have to use something more than warmed-over admonitions from the Eisenhower days if this floodgate of inflation is to stay shut.

Historic Reversal for the FCC

THREE JUDGES of the U.S. Court of Appeals in the District of Columbia, in a lucid, historic opinion, have literally changed the rules of broadcasting regulation—opening the way for the public to have a voice in determining whether a station has operated in the public interest. They held, on March 25, 1966, that the Federal Communications Commission erred in renewing the license of WLBT, a television station in Jackson, Mississippi, and they directed the Commission to hold hearings on the station's renewal application.

The case, under FCC scrutiny since 1955, would never have come to so unexpected and stunning a denouement, had it not been for the Office of Communication of The United Church of Christ, directed by the Reverend Everett C. Parker. In 1964 the church petitioned the Commission to deny WLBT's application for renewal. It asked for hearings to present evidence that the station was guilty of racial and religious discrimination and of excessive commercialism. The FCC, by a four to two vote, dismissed the petition and granted the Jackson station a restricted, conditional license renewal for one year instead of the customary three.

The Commission, in effect, thus accepted the charges of the church's Office of Communication, but ruled that the city "needed" a second TV station, and put WLBT on probation. Chairman E. William Henry and Commissioner Kenneth A. Cox dissented vigorously from the majority view, arguing that a renewal could not properly be granted until hearings resolved factual issues raised by the church petition. Ordinarily that would have ended the matter: the FCC had "ducked" another tough case, shown leniency to a licensee, and refused to give a public group, the United Church of Christ, "standing" which would have made hearings mandatory under the provisions of the Communications Act.

The right to intervene officially in a license renewal had been granted only on grounds of "economic injury" or "electrical interference." Standing, thus, traditionally had been granted to competing stations but not to the listening public. Presumably the audience did not suffer any "injury," and allowing it standing "would pose great administrative burdens" on the Commission. Mr. Parker, backed by his church, deemed the matter too important to drop. Ignoring the gloomy predictions of top communications lawyers, he appealed the FCC decision to the federal court.

The Court of Appeals judges—Burger, McGowan and Tamm—had probably never attended a convention of the National Association of Broadcasters. More interested in theoretical law than in industry practices, they looked at the record and stood the FCC on its head at every point of the argument. They emphasized that "standing is accorded to persons not for the protection of their private interests but only to vindicate the public interest."

"We cannot believe," the judges added, "that the Congressional mandate of public participation . . . was meant to be limited to writing letters to the Commission, to inspection of records, to the Commission's grace in considering listener claims, or to mere non-participating appearance at hearings . . . Consumers are generally among the best vindicators of the public interest. In order to safeguard the public interest in broadcasting, therefore, we hold that some 'audience participation' must be allowed in license renewal proceedings."

As for WLBT's license, it is not long for this world if the FCC takes seriously one sentence of the Court's opinion: "We agree that a history of programing misconduct of the kind alleged would preclude, as a matter of law, the required finding that renewal of the license would serve the public interest." The key phrase is "as a matter of law." It suggests the irrelevance of any reforms WLBT may adopt during its probationary period. "When past performance is in conflict with public interest," the judges said, " a very heavy burden rests on the renewal applicant to show how a renewal can be reconciled with the public interest."

The judges squelched the FCC's argument that Jackson "needed" the WLBT renewal, even though the station had been unfair to its Negro community (50 per cent of the area population). The area, said the Court, might better be served "with one TV outlet acutely conscious that adherence to the fairness doctrine is a *sine qua non* of every licensee." The Commission, thoroughly spanked, has decided not to appeal to the Supreme Court; and it has ordered a hearing. WLBT could appeal, but it would be foolish to go to the high court with a case so apparently blemished with racial discrimination. The church's Office of Communication, preparing for the hearing, reports that the station even now is still discriminating against the Jackson Negro community.

Mr. Parker deserves an award for courageous public service. His church has shown the way not only to other churches concerned with the impact of the media on their congregations, but also to civic associations, professional societies, unions, and educational institutions. Captious or purely obstructive protests are not in order. But informed, organized monitoring and evaluating of performance versus promise, as the court stated, can provide "a means for reflection of listener appraisal" of a licensee's statutory obligation to operate in the public interest.

Perhaps the FCC in the future will hesitate to renew a license without a hearing when serious issues of fact are involved, and stations will hesitate before politely brushing off complaints from articulate public groups.

—ROBERT LEWIS SHAYON.

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Monticello and After

***The Shackles of Power: Three Jeffersonian Decades,** by John Dos Passos (Doubleday. 426 pp. $6.95), sees thirty years in early American history through the personalities that shaped it. Harry Hansen, a member of the Society of American Historians, has been editor of the World Almanac since 1948.*

By HARRY HANSEN

JOHN DOS PASSOS's latest exploration in the tangled political jungle of the young Republic, *The Shackles of Power*, results in a report of what he calls the "three Jeffersonian decades." The survey begins with January 1807, when Jefferson is trying to dispose of the issues that have plagued him while President before retiring to Monticello: the need to acquire the Floridas, to stop British harassment of American shipping, and to check the conspiracies of Aaron Burr and the New England Federalists. It continues through the Administrations of Madison and Monroe into that of John Quincy Adams, when the spirit of Jeffersonian democracy still carried weight in the counsels of the nation.

Mr. Dos Passos long has been an interpreter of Jefferson, and the title of one of his books, *The Head and Heart of Thomas Jefferson*, shows that he recognizes something besides brain power in the great Virginian. In his new work he weaves his knowledge of Jefferson's personal concerns together with acts of historic importance in a running narrative, so that the happenings of 160 years ago read like the daily reports in newspapers, a continuous account of a man dealing with the incidents of his day. This does not imply that Mr. Dos Passos overworks the use of personal detail; rather, he shows that a human being at the head of a state is still a human being; that Jefferson, suffering from interminable headaches and complaining of "the daily drudgeries of my duty," was able at the same time to deal objectively with the Embargo Act and the threat of war.

While Jefferson's acts and ideas are the main concern of this book, both the President's associates and his enemies are portrayed with equal attention to their qualities and failings. Mr. Dos Passos is not neutral; he is on Jefferson's side. In a long biographical account he stresses the evil influence of Burr; he appreciates the various Adamses, but warns against their bias, and he gives a just estimate of Gallatin's services. Madison was so closely associated with Jefferson that at times their conferences in Monticello practically made that the capitol of the United States.

The shackles of power fall from Jefferson's shoulders to those of Madison quite early in the book, but although Jefferson can "retire" and count his artichokes and asparagus shoots, look after his family circle, and adapt classical architecture to Virginia's needs, he remains at the call of his associates and his influence persists. Mr. Dos Passos has a subject that gives him full opportunity to disclose the sacred and the profane, to move from diplomacy and partisan politics to husbandry, public schools, higher education, plans for getting rid of slavery, and a dozen other topics. He has even investigated the gossip that proved "irresistible" to Jefferson's contemporaries—that of "Dusky Sal," or Sally Heming, reputed to be Jefferson's mulatto mistress and mother of a brood that resembled him. Jefferson never mentioned the subject, and the best explanation seemed to be that Peter Carr, one of his nephews, was the culprit.

This book is a history of three decades seen with the help of personalities. Inside that frame Mr. Dos Passos accounts for the War of 1812, the battles with the Indians, the troubles of the United States Bank, the centralizing decisions of Chief Justice John Marshall, a cousin whose views alienated Jefferson; the origins of the Monroe Doctrine, the Treaty of Ghent, Castlereagh's diplomatic career, Napoleon's retreat from Moscow—by way of Joel Barlow—and the observations on democracy by the inquisitive foreigner Tocqueville. Mr. Dos Passos's writing moves along rapidly, but his fluency is disarming, for actually he has done a great deal of patient research and consulted original papers in many collections for this volume.

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MAY 7, 1966

The Tammany Side of the Story

***Behind Closed Doors: Politics in the Public Interest,** by Edward N. Costikyan (Harcourt, Brace & World. 369 pp. $6.95), explains the nature of modern urban politics. William D. Ogdon is a member of The New York Times editorial board.*

By WILLIAM D. OGDON

EDWARD N. COSTIKYAN pleads guilty to being the first leader of Tammany Hall to write a book. Some Tammany bosses of the more distant past may never have read one. But Mr. Costikyan is of the new breed of city politician—literate, and even fastidious in his tastes, a musician in his spare time, and a lawyer by profession.

Politics is not a life career with him; he moves in and out of it at will. Although in politics for nearly fifteen years, his tenure as New York County Democratic chairman (succeeding Carmine G. DeSapio) lasted only thirty-two months, ending in November 1964. He departed in what was reported at the time to be a disagreement with the then Mayor Robert F. Wagner over patronage and political support from City Hall.

Within a few months, however, he was back in political harness, managing the successful Democratic primary campaign for mayor by Abraham D. Beame, who defeated the Wagner protégé, Paul R. Screvane. His credentials as a campaign manager and a political prophet were impaired on election day in November. John V. Lindsay was elected mayor, in spite of Costikyan's election-eve forecast that Beame would win by well over 100,000 votes.

Behind Closed Doors is a misleading title if it encourages the reader to expect scandalous disclosures about what goes on in smoke-filled rooms of New York political clubhouses. For, as Edward Costikyan warns, this is not a "kiss-and-tell" book.

It is really several books. It is an adult primer of how to get out the vote, and swing it your way if possible, through the awful drudgery of pushing doorbells and trying to get into New York apartments. It is a book that tells how the district captain builds his strength, how he scrounges for money to pay legitimate expenses. It is a debunking book, laying to rest the "myths" that aspirant money often buys nomination to public office, including judgeships; that delegates to state party conventions have any individual autonomy of their own; that Bar Association endorsements of candidates for judgeships are the final and uncontestable distillation of impartial, holy wisdom, and that political chairmen have sinister and almost unlimited power over government.

MR. COSTIKYAN is a strong believer in the political party as an agent for "good government," and mourns the decline of its influence. He is a middle-roader in the "reform" movement in New York Democratic politics, a former law partner and devoted admirer of the late Adlai E. Stevenson. He was the man chosen by Wagner to succeed Mr. DeSapio as Tammany boss, whom he describes as a man "obsessed" by ego. Wagner he believes to be a "political genius."

But he is level-headed about the "reformers," noting their almost unanimous interest in patronage on their way to "regularity." And although Costikyan ran a clean shop as Tammany leader, he retained some of the standards hallowed in the past.

He defends the racial and religious "balancing" of tickets as a sound manifestation of democracy. He is somewhat ungenerous to the Liberal Party, which he says has become a tail for someone else's kite. Costikyan doesn't say so, but this conviction was probably confirmed when the Liberal Party abandoned the Democratic Party for once and went with Lindsay. He apparently sees nothing wrong with offering a government job to a man as a "sensible solution" to avoid a primary fight. But he was willing to battle to the bitter end to keep a candidate with "an honest-to-God police record" off the ballot.

He explains the wariness of political leaders in accepting a "newcomer" as a candidate for public office; they are uneasy, not knowing what heinous blunder these neophytes may commit on the stump. The leaders feel more comfortable, and confident, with candidates they have seen around the clubhouses and worked with while pounding the pavements.

Although he defends national political conventions, Costikyan takes a dim view of the state nominating process in

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New York. The mistakes of a state convention "take about three years to clear up." Representing a "disoriented collection of separate fiefdoms," a state convention is more subject to "deals." The delegate is "the property of his leader." Costikyan doubts that Charles Buckley, the old-line Bronx Democratic boss, ever polled his delegates. He knew how they ought to vote, and he voted them.

Mr. Costikyan wants the public to reevaluate politicians, and stop thinking of them as thieves. He laments the passing of "boss" power to those who preside in public office, and points to the dangers that come of the increasing supremacy of civil service unions. Although Mr. Costikyan holds the press in rather low esteem, apparently he condones "use" of the press, by politicians, for political purposes.

In general, however, Mr. Costikyan takes the high road of politics, rather than the low. In view of the dearth, in recent years, of able, informed books about the fascinating scene of New York politics, it is cause for regret that this book does not bring us more candid and ample disclosure of what does go on "behind closed doors" and a better insight into the chief characters who have crossed the stage in Edward Costikyan's time.

If he, with his vast opportunity to observe, had told us what he really thought of Wagner, Robert Kennedy, Beame, Adam Clayton Powell, DeSapio, Charles Buckley, Stanley Steingut of Brooklyn, Averell Harriman, Nelson Rockefeller, Frank Hogan, and of the king-making intrigues, as well as the campaigns of recent years, this could have been an excitingly interesting book instead of a constructively didactic but somewhat dull one. The author then could have brought more persuasiveness to his diagnosis of politics an an "addiction."

BUT even if Mr. Costikyan, as the gentleman in politics, has made no adversary mad, he has delivered with conviction the earnest truth that until people—good people—rid themselves of the notion that politics at the ward and district level is somehow not quite respectable, they will be condemned to live with the consequences. If they will not enroll in a party of their choice, get into the clubhouses, work at the level where nomination to party and public office has its genesis, and run for office themselves, they cannot complain when mediocrity is all they have to vote for as November comes around.

Mr. Costikyan is a great believer in the power of priorities properly evaluated and executed. He is trying to tell us that representative, democratized politics is the first priority on the way to better government, in New York and everywhere else.

Labor Politics

Labor outlook

BW

September 3, 1966

Labor's passion for politics may be waning

Union members may be more apathetic than usual even for an off-year election this fall. This worry is growing among Democratic leaders and AFL-CIO officials whose job is to whip up political action.

They count on the rank and file for registration and get-out-the-vote drives. But many among the membership are showing **a skepticism bordering on resentment toward the traditional drumbeating for Democratic candidates.** Some union higher-ups share this feeling privately.

If this trend turns out to be substantial, it could mean a basic change in the way labor participates in the coming campaign.

The problem: Democrats didn't deliver

Ironically, today's apathy may be an outgrowth of the overwhelming support labor gave President Johnson in 1964. **Many laborites worked like demons to elect Johnson and an overpoweringly Democratic Congress,** and they are disappointed by the results. As they see it:

- The President tried to limit wage increases to 3.2% at a time when **high profits and rising living costs made bigger raises both possible and necessary.**
- Congress turned down **repeal of Taft-Hartley Section 14(b) and legalization of situs picketing**—both issues dear to labor's heart.

To be sure, most labor leaders who feel this way go on to give the Administration credit for accomplishments in fields outside labor—medicare, for instance. And most concede that their legislation would have even poorer chances in a less heavily Democratic Congress.

But it's not easy to rally troops with the slogan that things could be worse.

Support will be weaker . . .

Intellectually, labor may acknowledge that its interests lie with the Democrats. But emotionally, many unionists would like to punish a President who, they feel, let them down. **This kind of conflict is likely to result in inaction.** In any case, it won't help fuel a dynamic attempt to mobilize union members, who may have other reasons to hold back their support anyway—dissatisfaction with Vietnam policy, for example.

Of course, the political fervor of stalwarts such as AFL-CIO President George Meany is undimmed. And few union presidents have changed position publicly; they are reluctant to offend Meany—or to encourage Republicans.

Even so, it all adds up to the likelihood of a weaker labor role this fall than in past campaigns.

. . . and different in style

This doesn't mean that labor's tried-and-true friends need worry. There will still be staunch labor support for such men as Senators Paul H. Douglas (D-Ill.) and Clifford P. Case (R-N. J.)

But there won't be solid support for Democrats down the line.

So labor's participation may well be different in style as well as diminished in zeal. **Manpower and money may be concentrated more on specific candidates of both parties—though still mostly Democrats.** In the past, labor resources often were available to the Democratic Party for use at its own discretion.

It's an ominous possibility for **some freshmen Democratic congressmen whose future could hinge on a few thousand voters**—or perhaps on the AFL-CIO volunteers who got those voters to the polls last time around.

PAGINATION INCORRECT

Labor & Votes: AFL-CIO Plans Biggest Off-Year Election Push

Primary Blows

The primary defeat of Tennessee's Sen. Ross Bass, a down-the-line Democratic liberal, shook AFL-CIO officials more than they care to admit. COPE's failure to unseat conservative Rep. Walter Baring in the Nevada Democratic primary "broke our hearts," says a union strategist. Liberal Rep. Carlton Sickles' loss in his bid for the Maryland Democratic gubernatorial nomination was another blow.

Now Sen. Douglas is rated in deep trouble. Union men are worried, too, over the re-election chances of Montana's Sen. Lee Metcalf, long a liberal Democratic stalwart. They fear a gubernatorial victory by Mr. Reagan could sweep five or six California Democrats out of Congress. The gubernatorial races in Ohio and Michigan, where Govs. James Rhodes and George Romney are rated strong Republican ticket leaders, "could affect a number of House seats," frets an AFL-CIO aide.

White rank-and-file reaction to racial rioting and to Negro pressures for open housing and other gains raise more worries. "You're damn right there's a backlash," says an AFL-CIO official, "and our people are not immune to it." In the Maryland Democratic gubernatorial primary supposed dark horse George Mahoney, who ran on the slogan "a man's

Please Turn to Page 12, Column 1

Continued From Page One

home is his castle" and promised to veto any open occupancy legislation, defeated two candidates who came out for limited fair housing laws. A big factor was a heavy pro-Mahoney vote in white worker districts in Baltimore.

An added sign that open occupancy is a strong but silent issue among white union members is supplied by this anecdote: Just before a recent primary, a union offical asked a rank-and-filer why he was going to vote against the candidate COPE had endorsed when both leading candidates were taking the same stand on fair housing. "I know that," came the answer, "but I also know that my guy is lying and your guy is telling the truth."

Sighs a COPE aide: "How do you handle this issue? It's like handling a bowl of Jello with no bowl."

Other labor strategists express concern about the political impact of the rising cost of living. "The union housewife can get just as mad at price increases as any other housewife," says an AFL-CIO official. "And they always get maddest at the party in power."

Also worrisome to national labor chiefs is a tendency for some unions to go their own way, often to the benefit of Republicans whom labor's top political hierarchy opposes.

The Pennsylvania AFL-CIO is miffed over the endorsement of Lt. Gov. Raymond Shafer for governor by one of the Keystone State Federation's own vice presidents; the labor group backs Democratic candidate Milton Shapp. New York City building trades unions are supporting Gov. Nelson Rockefeller against the wishes of some other labor leaders. Craft unions in Ohio lean toward GOP Gov. Rhodes, while the state AFL-CIO backs Democratic hopeful Frazier Reams, Jr. This tendency stems in part, of course, from local unions' desire to be on the side of a prospective winner and collect credit for their backing.

UAW Votes for Romney?

Also, there seems to be a tendency for union rank-and-filers to ignore the endorsements of their chiefs and back Republicans. United Auto Workers officials fear Mr. Romney will win many of their members' votes, despite the union leadership's drive against him.

But for the most part, says a union politico, labor leaders' biggest fear is "not that our guys will go out and vote Republican, but that they just won't vote. Our problem is to get the members fired up."

This means pouring unstinting effort into campaign mechanics, such as the telephone efforts to find out what union members think and how they're going to vote—and thus what the key issues are and how candidates should handle them. "Union housewives are lonely, just like any other housewife; they love to talk on the telephone," says a COPE official. "We find out all kinds of things." The COPE branch in Alameda County, California, expects to make no less than 50,000 phone calls between now and Election Day.

Significantly, more campaign cooperation is coming from some bigger unions these days, AFL-CIO officials declare. "The Steelworkers; Building Service Employes; State, County and Municipal Employes; the Machinists—they're all working with us more closely than before," one says. One reason, Federation aides confide, is the leadership changes in these unions since the 1964 election. Another reason, it is said, is Mr. Meany's determination to wring maximum political effort out of the AFL-CIO's unions.

Evidence of Mr. Meany's concern, COPE aides say, is his naming of high-level union task forces for the campaign battles in Illinois and California.

To help Sen. Douglas, Mr. Meany has named Herman Kenin, president of the Musicians' Union; Richard Walsh, head of the Stage Employes and Moving Picture Operators Union; I. W. Abel, chief of the Steelworkers; and George Harrison, president emeritus of the Railway Clerks.

To help re-elect Gov. Pat Brown in California, there's a group made up of Joseph Keenan, secretary-treasurer of the International Brotherhood of Electrical Workers; Paul Jennings, chief of the International Union of Electrical Workers; Paul Hall, head of the Seafarers Union; and Roy Siemiller, president of the Machinists.

Task Forces "Informed"

AFL-CIO officials say the task forces are "very informal" but have a distinct value. "When the head of a union comes into a territory where he has a lot of members, the guys are more inclined to listen and respond," says a COPE official.

Rank-and-file response is what the union strategists need—and not just at the polls on Election Day. "Our strength has always been in the manpower we can put into an election campaign, rather than large amounts of money," says a Federation aide. But manpower often amounts to the same thing as money.

"The work of elections is done by organizing forces of people to do a great many mechanical things for you," explains one union political operator.

"Unions have these forces of people already in being. They have an office, they have secretaries who can type news releases, stencils and mimeograph machines to put them out, they have meeting halls and people to set them up for a rally, their people know where the meeting hall is, and the union officials have lists of people to call to help fill the hall. Unions have printers who can do work for the candidate, they know how to get recordings done.

"These things can be terribly important when you want to get a statement out at 5 p.m. to release that evening. And the knowledge of how to do all this, along with the people to do it, is a valuable asset to a candidate. It frees him and his top people to concentrate on other areas of concern."

Krupp Steel Plant Cuts Hours

LONDON — A major West German steel maker, Fried, Krupp Huettenwerke A. G., cut production and employe workweeks due to lack of orders. The company, steelmaking arm of Fried, Krupp of Essen, a major diversified manufacturer, said the workweek at a plant in Bochum will be cut to 36 hours for 1,200 workers and to 38 hours for an additional 1,100. The plant's 15,500 workers normally work a 40 hour week.

Machinists' score card for Electio

Major candidates running Nov. 8

Candidates listed in **bold-face type** have labor endorsement, usually the State Federation of Labor.
† Not endorsed by Machinists because of vote to break airline strike.
‡ The New York and New Jersey State Federations made no endorsements in these races. Machinists and other unions back Case and O'Connor.
# Not endorsed by Machinists.
* Incumbent.

STATE	GOVERNORS		U.S. SENATORS		U.S. REPRESENTATIVES		
	Democrats	Republicans	Democrats	Republicans	Total Seats	Democrats	Republicans
ALABAMA	Wallace	Martin	Sparkman*	Grenier	8		
ALASKA	**Egan***	Hickel	**Bartlett***	McKinley	1		
ARIZONA	**Goddard***	Williams			3		
ARKANSAS	Johnson	Rockefeller	McClellan*	No candidate	4		
CALIFORNIA	**Brown***	Reagan			38		
COLORADO	**Knous**	Love*	**Romer**	Allott*	4		
CONNECTICUT	**Dempsey***	Gengras			6		
DELAWARE			**Tunnell**	Boggs*	1		
FLORIDA	**High**	Kirk			12		
GEORGIA	Maddox	Callaway	Russell*	No candidate	10		
HAWAII	**Burns***	Crossley			2		
IDAHO	**Andrus#** Jungert (Ind.)	Samuelson Swisher (Ind.)	**Harding**	Jordan	2		
ILLINOIS			**Douglas***	Percy	24		
INDIANA					11		
IOWA	**Hughes***	Murray	**Smith**	Miller*	7		
KANSAS	**Docking**	Avery*	**Breeding**	Pearson*	5		
KENTUCKY			Brown	Cooper*	7		
LOUISANA			Ellender*	No candidate	8		
MAINE	**Curtis**	Reed*	**Violette**	Smith*	2		
MARYLAND	Mahoney Pressman (Ind.)	**Agnew**			8		
MASSACHUSETTS	**McCormack**	Volpe*	**Peabody**	Brooke	12		
MICHIGAN	**Ferency**	Romney*	**Williams**	Griffin*	19		
MINNESOTA	**Rolvaag***	LeVander	**Mondale***	Forsythe	8		
MISSISSIPPI			Eastland*	Walker	5		
MISSOURI					10		
MONTANA			**Metcalf***	Babcock	2		
NEBRASKA	**Sorenson**	Tiemann	**Morrison**	Curtis*	3		
NEVADA	**Sawyer***	Laxalt			1		
NEW HAMPSHIRE	**King***	Gregg	**McIntyre*†**	Thyng	2		
NEW JERSEY			Wilentz	**Case*‡**	15		
NEW MEXICO	**Lusk#**	Cargo	**Anderson*†**	Carter	2		
NEW YORK	**O'Connor‡**	Rockefeller*			41		
N. CAROLINA	Jordan*	Shallcross			11		
N. DAKOTA					2		
OHIO	**Reams**	Rhodes*			24		
OKLAHOMA	**Moore**	Bartlett	**Harris*†**	Patterson	6		
OREGON	**Straub**	McCall	**Duncan**	Hatfield	4		
PENNSYLVANIA	**Shapp**	Shafer			27		
RHODE ISLAND	**Hobbs**	Chafee*	**Pell***	Briggs	2		
S. CAROLINA	McNair*	Rogers	Morrah Hollings	Thurmond* Parker	6		
S. DAKOTA	**Chamberlain**	Boe*	**Wright**	Mundt*	2		
TENNESSEE	Ellington	No candidate	Clement	Baker	9		
TEXAS	Connally*	Kennerly	Carr	Tower*	23		
UTAH					2		
VERMONT	**Hoff***	Snelling			1		
VIRGINIA			**Spong** Byrd*	Ould Traylor	10		
WASHINGTON					7		
W. VIRGINIA			**Randolph*†**	Love	5		
WISCONSIN	**Lucey**	Knowles*			10		
WYOMING	**Wilkerson**	Hathaway	**Roncalio**	Hansen	1		
ELECTED					435		
HELD OVER	13	2	47	18			
LINE-UP FOR 1967					435		

This score card wil

As early returns are
dates leading for Gove
keep an eraser handy.
names of the losers.
Representatives electe
the major offices at s

Governors—Thirty-
35 Governorships, 20
publicans. Overall, in
and 17, Republicans.
of theirs, the Democr

U.S. Senators—Thi
election Tuesday. Tw
15 by Republicans. Th
is 67 Democrats and
publican seats will be
Democrats'.

U.S. Representative
tives—435 Congressm
right now includes 29
two vacancies.

The table below ill
trying to reverse this
party that controlled t
House in off-year ele
there was no President
boxes show those loss

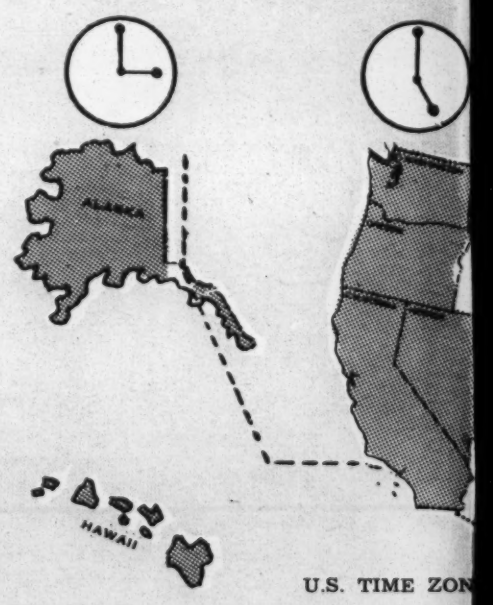
Because the Congre
benefit all Americans,
its liberal majority an
jority included both I

To accomplish this,
in numbers approxima
Presidential race led
now and the time the

History o
U

Election Year	Congress Elected	U.S. House Members El	
		Dem.	Rep.
1946[1]	80th	188	246
1950[1]	82nd	234	199
1954[2]	84th	232	203
1958[2]	86th	283	154
1962[3]	88th	259	176

[1]Harry Truman was President in
[2]Dwight Eisenhower was President
[3]John Kennedy was President in



U.S. TIME ZON

Election Night

This score card will help you tally returns Election Night.

As early returns are reported, put check marks beside the candidates leading for Governor and the U.S. Senate. Use a pencil and keep an eraser handy. When returns are conclusive, cross out the names of the losers. For Congressmen, write in the number of Representatives elected by each party, state by state. Here are the major offices at stake:

Governors—Thirty-five states are electing Governors. Of these 35 Governorships, 20 are now held by Democrats, 15 by Republicans. Overall, in the 50 states, 33 Governors are Democrats and 17, Republicans. The Republicans must defend all but two of theirs, the Democrats about three-fifths of theirs.

U.S. Senators—Thirty-five U.S. Senate seats will be up for election Tuesday. Twenty of these are now held by Democrats, 15 by Republicans. The present lineup in the 100-member Senate is 67 Democrats and 33 Republicans. Thus, almost half the Republican seats will be on the block, but less than a third of the Democrats'.

U.S. Representatives—The entire U.S. House of Representatives—435 Congressmen—will be elected on Tuesday. The House right now includes 294 Democrats and 139 Republicans, with two vacancies.

The table below illustrates a political fact of life that labor is trying to reverse this year. That fact is that, since 1938, the party that controlled the White House invariably lost seats in the House in off-year elections. These were the elections in which there was no Presidential race, as is the case this year. The shaded boxes show those losses.

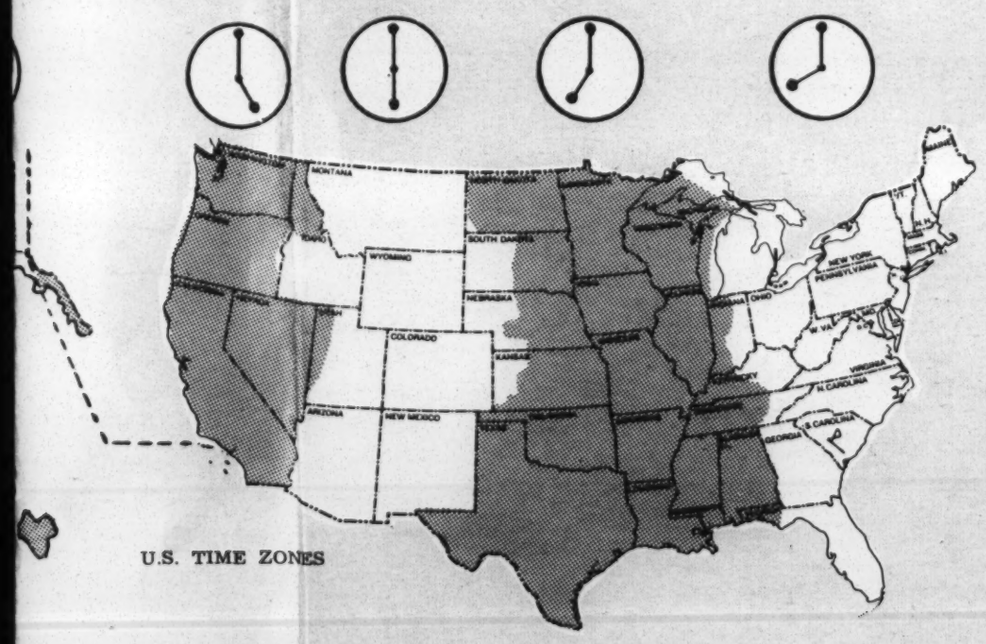
Because the Congress that has just adjourned did so much to benefit all Americans, labor is working extra hard to preserve its liberal majority and upset the off-year trend. That liberal majority included both Democrats and Republicans.

To accomplish this, liberal voters must go to the polls Tuesday in numbers approximating their turnout two years ago when the Presidential race led the ballot. That is labor's goal between now and the time the polls close Tuesday.

History of off-year elections
U.S. Congress

Congress Elected	U.S. House of Representatives					U.S. Senate				
	Members Elected			Gains/Losses		Members Elected			Gains/Losses	
	Dem.	Rep.	Misc.	Dem.	Rep.	Dem.	Rep.	Misc.	Dem.	Rep.
80th	188	246	1	**−55**	+56	45	51		−12	+13
82nd	234	199	2	**−29**	+28	48	47	1	− 6	+5
84th	232	203		+19	**−18**	48	47	1	+ 1	—1
86th	283	154		+49	**−47**	66	34		+17	—13
88th	259	176		**− 4**	+ 2	67	33		+ 3	—3

Truman was President in 1946 and 1950.
Eisenhower was President in 1954 and 1958.
Kennedy was President in 1962.



U.S. TIME ZONES

W. J. Adams marks 50th anniversary

MACHINIST PHOTO

Adams signs lodge records.

Congratulations are in order for William J. Adams of IAM Lodge 555, Knoxville, Tenn. He has just completed his 50th consecutive year as lodge financial secretary.

Brother Adams joined the IAM in 1907 as a member of Lodge 1, Atlanta, Ga. At that time he worked for the Hancock & Holmes Machine Co. He moved to Knoxville, Tenn., a few years later and was elected financial secretary in 1916.

Adams recalls that those were the days of the anti-union blacklist and the company spy. Union meetings were held in secret and lodge records were kept hidden.

"I remember one place I worked," he told THE MACHINIST, "where the manager would make the rounds of the shop to ask each man if he belonged to the union. Anyone who admitted belonging to the union would be told to go to the office and collect his pay."

Company spies were a problem. Once, when management seemed to know everything that was going on at the secret union meetings, lodge members set up an anti-spy network. Adams remembers that one man was singled out as suspect. The plant janitor kept his eye on this man and, sure enough, the man reported to management following every union meeting.

"He was expelled from the union immediately," Adams reports. He also remembers old working conditions:

"We worked long hours in those days. "When I joined the IAM in 1907, top pay for a machinist was $3.50 per day. No one guessed then just how much the union would improve our pay and working conditions."

During the depression of 1929, Adams and his fellow machinists helped support their families by making and selling a device for clamping lids on jars used for canning fruits and vegetables at home. He said:

"I got the idea for the clamp while watching a group of neighbor women canning peaches. You could buy peaches then for 25 to 50 cents a bushel. The women complained of the trouble they had tightening the lids on the jars."

Adams worked out his clamp idea at the shop where he worked. The clamp sold for 25 cents.

The union was only 15 years old when Adams joined and Henry Garrett, one of the union's founders, was still active in Lodge 1. Adams recalls that "Garrett would get up at every meeting to urge more organizing. He always made a powerful impression on his hearers."

During his 50 years as financial secretary for Lodge 555, Adams has known every IAM General Secretary-Treasurer since George Preston, the union's second.

The photo shows Adams signing the books at the Lodge 555 meeting hall. Gathered around him are lodge officers Burl Webb, vice president; Joe Shipman, chief steward; A. G. Shelton, president; L. W. Geer, treasurer; J. B Burnette, C R. Moore and N. C. Romine, all trustees.

Union Sportsman

Learn the 'keeping quality' before freezing fish catch

By Charles Covell

Closing your fishing season with a freezer full of fish?

If you are, it would be wise to keep in mind that fish vary greatly in keeping qualities, just as they are different in flavor, texture and amount of meat per pound.

A largemouth bass, for example, yields slightly more protein than other favorite game fish, yet would hardly be a buy at the fish market. Less than half its weight is usable meat.

In a lake trout, nearly 80 percent of the meat is edible. Unfortunately, its 9 per cent fat content makes it unsuitable for freezing for long periods.

Bass, walleye, yellow perch and bluegill all possess low fat content, so you can freeze them without losing flavor.

The same goes for salt water fish. Striped bass, unlike the fresh water bass which are not really bass at all but belong to the sunfish family, have a high fat content and do not keep more than 60 days in a freezer without acquiring a rancid taste. This is also true of any fish of the mackerel family. The higher the oil or fat content, the sooner it has to be eaten.

Flounder or sole, on the other hand, along with ocean perch, haddock, codfish, snappers, groupers and others of their families can be kept for longer periods.

Therefore, it might be wise to make an inventory now and if your fish threaten to go beyond the trouble zone before they can be eaten, share some with the neighbors.

Incidentally, if you are in an area favored with soft clams, they can be washed and frozen in the shell. Don't try to keep them more than 30 days, but in the meantime they are as delicious steamed as when they were dug. Hard clams may be steamed open, the flesh packed in plastic containers and frozen as the basis for clam chowders. They keep quite well.

Perhaps you haven't ended your fishing season. Unless you live in the northwest where blizzards have already set in, you are wise.

It's true that on a day-by-day basis, good weather worsens in the fall rather than improves as it does in spring, but until freezing sets in, the fishing gets better.

The appetites of fish in the lakes and streams, particularly the usually wily bass and pickerel, pick up as cool weather arrives.

Until the morning frost fails to melt with the rising sun and surface waters become a sheet of ice, most game fish continue to roam their feeding grounds.

Between now and then they are susceptible to the offerings of fishermen who have the savvy to fish for them and the willingness to brave the brisk breezes.

UPI PHOTO

Miss Union Maid, Susan Abbott, is stretching her hatband. To stretch your shopping dollar, insist on union made goods.

Why We Are in Politics

By James L. McDevitt
National Director of COPE
(Reprinted from IUD Digest)

Future elections will mark another test of strength for the Committee on Political Education (COPE) in the field of politics.

Before the battle gets too intense—and there is certainly every indication that it will be intense—it might perhaps be useful to examine again our fundamental premises. Why are we as a trade union movement engaged in politics? What do we hope to achieve by our participation?

I am convinced that too many of our members do not yet fully know the answers to these questions. I am equally convinced that when they do understand "why," many of our problems will be on their way to solution.

Today's world is an infinitely complex place.

We may yearn for the days when San Francisco was a long way from the east coast, when a flight from New York to Paris was an epoch-making event, when Amos and Andy ruled the air waves and people could only listen to, not see, the world's great events, when highways were uncluttered and a 250 mile auto trip was a big undertaking, when groceries were sold by a clerk and you talked to the butcher about the cut of meat you wanted, when local problems were local problems and when the editor of the Podunk Gazette could claim that "if it didn't happen in Podunk it didn't happen."

Realistically we know those days don't exist any more—and our memories cloud over the dark spots. Those, too, were the days of the 10 and 12 hour day, of small and weak labor organizations, of professional strikebreakers and Harry Bennett's "service" squads, of waves of unemployment, of bonus marchers, of cynical and corrupt political bosses ruling our local, state and sometimes national governments, and of domination of our national life by big business.

As the world has grown more complex the role of government has become more important and the responsibilities of the governed have grown.

As a simple illustration, in 1930 approximately 3.7 million individuals filed federal income tax returns. In 1953 over 57 million individual federal income tax returns were filed.

In 1930 there was no federal old age retirement program. Last month the Department of Health, Education and Welfare mailed out almost eight million checks to retirees under the Social Security Act. Next month they will mail out about the same number. Each month the Railroad Retirement Board mails out about 456,000 checks while the Veteran's Administration carries about 2.8 million people on its rolls as beneficiaries.

In 1930, when a man was thrown out of work—and many of them were in that year—his only means of feeding his family and keeping a roof over their heads were his own resources and handouts from charity. Today the average unemployment compensation payment is $29 a week —not enough, certainly, to maintain a decent standard of living but certainly better than the 1930 scale.

Governmental Role

Today we are concerned with the direction our economy is taking. Economists tell us it is going down at an unpleasantly rapid rate. They also tell us that were it not for various federal programs it would be going down at an even more rapid rate.

To the economists this is a matter of academic concern. To the building tradesman on the construction site or the factory worker in the plant it is a matter of bread and butter, clothes and shelter for himself and his family. It means the difference between meeting payments on his car or arguing with the repossessor, between meeting payments on the television set or watching it being toted out of the house.

What government policy is and what it will be in the next few months will hit each of us in the bread basket whether we like it or not. We may agree or disagree with the theory that government should or should not exercise control over economic policy, that it should be left to the businessmen. Whatever theory we hold, the inescapable fact of life today is that government does determine economic policy and thereby the amount of food in the family pot.

Nor is government some vague group of people called "they." It is composed of men and women elected to public office for specified periods of time by each citizen. It is either Adlai Stevenson or Dwight D. Eisenhower, Senator X or Senator Y, Representative A or Representative B, as we may choose at election time. We prosper or struggle depending

upon their wisdom, foresight, prejudices, and capacity.

Sometimes I am told this is not so, that through our trade unions we can set rates and determine conditions that will affect the lives of our members and that is the limit of our responsibility as trade unionists.

It may be—although I doubt it—that there was a day when this was so but it is emphatically not so today. The trade union movement is composed of 16 million members in a sea of over 170 million people in the United States and more than two billion people in the world. We cannot live our lives apart from them, insulated and isolated in a world alone. To fulfill our responsibility as trade unionists we must recognize this fact.

More Than Economics

It is not only in the field of economic policy that government touches our lives. There is, as a matter of fact, scarcely a single human activity that is not influenced to some degree by government.

You get up in the morning, turn on the lights and turn on the radio. The rates you pay for electricity are set by a governmental commission. The station that broadcasts your morning program receives its license from a governmental commission.

Perhaps you have bacon and eggs for breakfast. Your bacon has been inspected by a governmental inspector and your eggs have, no doubt, been produced by chickens whose care and feeding has been suggested by research scientists of the Department of Agriculture.

You may take a street car or bus to work. The fares have been approved by a governmental commission. You read a newspaper in which, chances are, most of the stories are about the actions of the police department the night before or the fire department or the city council or your state and national government.

The place in which you work, most likely, has been licensed to operate. It has been inspected for certain safety conditions. Your employer has to keep certain records. He must deduct your income tax and your social security tax.

While you are at work your children are in school, being taught at the expense of the taxpayers. The shopping your wife

does at the grocery store is protected by food and drug laws and you're pretty sure the weights and measures your grocer uses are honest.

At night you may catch a ride home with a neighbor. He is licensed to drive by a governmental agency and he obeys the traffic laws established by the city government.

Your television show in the evening is broadcast by a station licensed to do business and the very set itself must conform to certain safety standards to insure that it will not electrocute you as you turn it on or off.

At night you climb into bed. Your mattress has a tag on it that certifies its contents have been inspected. As you sleep, policemen are patrolling the streets and firemen are standing by in case you need them. The streets are being cleaned, trash is being collected, in accordance with the rules and regulations you, acting through your government, have established.

Perhaps this is a bleak picture. This is not the way we like to think of ourselves — protected, coddled, surrounded by rules and regulations. Yet we are not restricted or coddled, because these are rules and regulations we have imposed upon ourselves to insure the orderly operation of our society. Imagine, for instance, a city in which there were no traffic lights, no traffic regulations, no restrictions on drivers. It might work if everybody walked.

And I have only scratched the surface. Workmen's compensation laws, housing programs, fair labor standards, child labor laws, public assistance, education, agriculture, public health—all these and many others are activities of our government which we, as voters and as taxpayers, direct and control.

Why Politics

Granting that this is so, why, I am sometimes asked, is it necessary for our trade unions to engage in this activity? Why can't we engage in this activity in our individual capacities?

We can, of course, engage in the processes of government as individual voters but the curious thing is that the more involved people get in politics and government the more clearly they see the importance of acting together. Acting individually they can do something. Acting together they can do much more.

As Theodore Roosevelt once put it, "when a band of 150 or 200 honest, intelligent men, who mean business and know their business, is found in any district, whether in one of the local organizations or outside, you can guarantee that the local politicians of that district will begin to treat it with a combination of fear, hatred, and respect and that its influence will be felt."

Our trade unions are instru-

ments we have devised for improving the welfare of our members. When so much of the welfare of our members is determined in the field of politics and government it is impossible for us, as trade unionists, to ignore it. Having recognized the necessity of action in this sphere it would be equally impossible for us to forget everything we know about organization and acting together when we enter the political arena.

There are those who say we should confine ourselves to legislative activities, that we should make our representations to members of Congress and members of the government and leave the rest to the members' own instincts.

Certainly our legislative activities are vital and the legislative department of the AFL-CIO does yeoman service on legislative matters in which the trade union movement is interested. Yet I feel sure it would be the first to say that politicians do not always act entirely on principle.

The politician knows, probably better than anyone else, who is a registered voter in his district and who is not. He knows where his support is coming from and where he may receive opposition. His judgment is guided, and properly so, by such factors, for his job is to satisfy and represent the people of his district. The only knowledge he has of their wishes is the knowledge he receives at the ballot box on election day and his ear is tuned to the pulling of the voting levers.

COPE seeks to help the member of Congress and the member of government know the wishes of his constituents and it seeks, likewise, to help the constituents know something about their representative.

Our Congress, unlike most parliamentary bodies in the world, provides for a daily printed verbatim record of its proceedings. It prints, except in cases in which the national security would be affected, the verbatim record of hearings before its committees. It records by name the vote of each individual Representative and Senator on roll calls, no matter how trivial.

Its intent, clearly, is that voters should know what Congress is doing.

The intent is admirable. Unfortunately the Congressional Rec-

ord is a bulky document and the hearings before committees run to many pages. Decisive roll call votes, because of parliamentary procedure, are often hidden in technical quagmires.

To help constituents understand what is going on in Congress COPE undertakes to sift through the Congressional Record and the committee hearings, to interpret the significance of roll calls, and to analyze the meaning of governmental actions and decisions.

Having done this it then seeks to see to it that voters, particularly those in the trade union movement, receive this information and are prepared to act upon it in an effective way.

The only effective way of acting is obviously through politics and the only effective politics is organization. We come, therefore, to the organization of state and local COPE's, to registration drives, to drives for individual voluntary contributions with which to finance expenditures in connection with federal elections.

And even if all of what I have said here is unconvincing there still remains a compelling reason for our participation in politics. It is the fact that our opponents in the economic field are actively engaged in politics. They are actively seeking the passage of legislation that will benefit them when it comes to bargaining collectively and when it comes to the distribution of the products of our labor.

The record of Congress and of the state legislatures is full to overflowing with attempts to restrict the rights of our trade unions, with attempts to get the tax burden shifted to the shoulders of working people, with attempts to exploit natural resources for the benefit of a few, with attempts to narrow the scope of our social security and wage standards laws, with attempts to direct our government toward the interest of the few and against the many.

Our Political Commitment

The simple fact is that it was the Smith-Connally Act of 1943 and its successor, the Taft-Hartley Act of 1947, that compelled the present day labor movement to enter into politics. Were it not for those two pieces of punitive legislation it is possible that we would not today be exerting the efforts we are in the political field. Equally, if we were not today exerting the effort we are it is certain that Taft-Hartley and Smith-Connally would be weak tea compared to the brew that would be set before us.

The commitment to politics is one we cannot escape if we are to survive and if we are to serve our members. Having made it, as trade unionists we cannot escape the obligation to devote our utmost efforts to it.

We are making progress. Considering the length of time we have been active in this area I

think we have made very good progress. But the challenge is always before us. The pressure is always on and the perils of failure are great.

In the future, we will be engaged in other contests. I am sure that, given the help and support of our members, we will make a creditable showing. But it will take more than good intentions. It will require the active and interested support of each of us. No one can afford to sit on the sidelines.

Jack Johnson, the great Negro heavyweight, put his finger on it back in 1915 when he was fighting Jess Willard under Havana's blazing summer sun. A spectator at the ringside kept up a running fire of abuse. He criticized Johnson's style, made cracks about his color, complained about his ancestry and belittled his courage in the ring.

Finally, between rounds, Johnson leaned over the ropes, smiled down at the man and said: "Man, you're down there talking. I'm up here fighting."

In the effort in which we are engaged none of us can afford to be "down there talking." All of us, at least part of the time, have to be "up here fighting."

Committee on Political Education

of the

AMERICAN FEDERATION OF LABOR AND

CONGRESS OF INDUSTRIAL ORGANIZATIONS

815 - 16th St., N.W., Washington 6, D. C.

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COPE Publication No. 56

Points on Labor In Politics

Length of history — A rich heritage

Current reasons why

Protective — local job protection
Relations to Coll. Barg.

General welfare — & labor's welfare
Fed Aid to Ed.
Health Care for Aged
Civil Rights

The working of modern political society
Labor's duty to participate

Kinds of Activities

The responsibility is now ours — those of us
new in labor movement —

Know issues Closest to Labor

1) Broad understanding of American political life.

2) Familiarity with processes of government

3) Techniques of political action —

4) Recognition of standards of democracy — those
values which are something more than just the
machinery of govt, the exercise of pressure, the skillful use of
techniques — emotional or rational, that democracy has →
A willingness to play our part — to educate
& be educated, to join with others, to act.
This is "a political year" —

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relevant to a high order of freedoms,
where human personality is encouraged to grow and find
expression, where participation is not denied because of
prejudice or unreasoned discrimination or group labeling.

LABOR AND POLITICS

LABOR IN POLITICS

EMPLOYER-EMPLOYEE RELATIONS DIVISION

CHAMBER OF COMMERCE
OF THE UNITED STATES

WASHINGTON 6 · D C

Strip Mining

Stripping means fast profit, ruined land

By JEANNE M. RASMUSSEN

Clifton Bryant, a retired coal miner, has spent "the last 41 years" building and improving his small, cinderblock and wood home in Dry Branch, West Virginia.

Today, he sweeps the snow from his hand-laid brick walkway and points a sun-leathered hand toward the once-beautiful hills that surround him.

The lush greenery of spring, the hills aflame with yellows and reds in the fall, the little squirrels hunting acorns for the winter—are all gone. In their place are huge, gaping holes and ruts gouged out of God's land, leaving pock-marked and scarred devastation where nature once thrived.

The snaking path of the strippers moves closer each day and Bryant remarks that he is old and tired of fighting.

"But who will be left to bury the dead," he murmurs. "Don't they realize when man destroys his environment, he's also destroying himself?"

Bryant is not alone.

All over West Virginia, Kentucky, Ohio and elsewhere, miners and other citizens must suffer as reckless coal operators murder their mountains, streams, trees and wildlife as well as homes and personal property.

The price of coal has soared to more than twice what it was a year ago in some cases and, seeing an opportunity to grab quick profits regardless of the destruction of the environment, ruthless coal operators are accelerating their stripping operations.

A survey of strip mine permits issued in the Appalachian coal states revealed that in West Virginia, Virginia, Kentucky, and Tennessee nearly 50 per cent of the strip mining permits now in force have been issued in the last seven months.

The tearing, chewing, wrenching machines now work at an accelerated speed to extract "black gold" from the hillsides seeking a chance to make quick profits. In West Virginia alone, strippers were granted permits to gouge twice as many acres in 1970 as they did in 1969—31,802 acres in 1970 compared with 15,710 in 1969.

Hanna Coal Division of Consolidation Coal Co., owns 95,000 acres of strip mine lands in Belmont and Harrison counties of Ohio. It's largest operation is in the "Egypt Valley" field which straddles Interstate 70 between Wheeling, W.Va. and Columbus, Ohio.

Here, Hanna operates the "Gem of Egypt" ("Gem" stands for "giant earth mover"), one of two 100-foot-high, 10,000 norsepower electric shovels that scoop up the earth in 200-ton buckets. According to Ben Franklin of the New York TIMES, *the mine has nearly obliterated the township of Kirkwood."*

James Wilkinson of Kingwood Mining Co., located in Preston County, W.Va., has announced that a smaller version of the "Gem" will soon be in operation at Kingwood, giving the company the "distinction" of becoming the "largest strip operation in the state." (Ironically, the name of the town of Kingwood was selected because of the location there of a stand of unusually tall trees—forest king, i.e., "king wood.")

As the destruction and human misery caused by strip mining accelerates, there are some hopeful signs.

In the West Virginia Legislature, Kanawha County Democrat Si Galperin has introduced a bill calling for strip mining to be abolished by January 1. 1973.

As the Miner's Voice went to press, this bill was being studied in a committee.

While the pro-stripping forces appear formidable (spending an estimated $100,000 on advertising alone), support for the bill has come from many quarters. Among the most prominent of those supporters is Sec. of State John D. Rockefeller IV; State senator Robert Holliday of Fayette County; Delegate Warren McGraw (D-Wyoming); Rev. Richard C. Austin (a Presbyterian minister who directs the Charleston-based *Citizens to Abolish Strip Mining*), and various ecological groups and organizations, as well as individuals such as Ellis Bailey of Clear Fork (Raleigh County) who have personally become the victims of a vicious and irresponsible industry.

Even as battle lines are forming in the marbled halls of the West Virginia state capitol following the introduction of the Galperin anti-stripping bill, the Image-makers continue to assault gullible tourists with "Wild, Wonderful West Virginia" slogans, and runaway sons and daughters are urged to return to the "sparkling streams and lush forests" of the hinterland for "Homecoming '71."

"Love it or Leave it" has indeed become a serious issue in West Virginia—for the price of "Progress" (called strip mining) provides *profit for a few at the expense of many.* If strip mining cannot be *abolished* within a reasonable period of time, then both concerned and unconcerned West Virginians will be left to contemplate at leisure the scarred, gouged-out mountains, skinned slopes, polluted streams and butchered forests.

An 82-year old West Virginia coal miner recalls:

"The 'Speculators' brought an end to the land and its resources, and the end of the freedom-loving mountaineer.

"These speculators walked easy with the mountaineers for a while, and those who had sold their land enjoyed the little money they received for it. They'd tell other mountaineers that they'd 'sold' their land and were still enjoying the benefits from it—same as always . . . like eating the cake and keeping it too.

"That was just the beginning. Vast boundaries of coal had been discovered and the speculators began to organize companies to mine the coal. They went at it like the Buffalo hunters in the plains states that would shoot the Buffalo for the hide only and leave the carcass to rot.. The [speculators] didn't shoot Buffalo, but what they did was worse. They monopolized all the land, butchered up the best timber, and then they went for the coal.

"These coal companies were greedy, money-hungry. They wanted coal cheap and fast so they could pile up profits quickly. They graded roads through fields, dumped slate on farm lands, tore down barns and sometimes dwellings, undermined springs and wells—causing them to sink their water—and leaving mountaineer families with water unfit to use.

"There was nothing the mountaineer could do, because the document he had signed showed that he had either sold his land outright, or the company had retained the 'mineral rights,' which meant the right to operate as they saw fit.

"Bewildered mountaineers began to see they had sold their birthright for a mess of pottage."

But the "glib-talking speculators" of yesteryear have been replaced by highly-paid public relations firms engaged by the ultra-rich coal industrialists of today. Full-page newspaper ads extolling the virtues of strip mining, the wonders of 'reclamation,' and the 'contribution to the state's economy,' blind the eyes of readers searching for factual news. The "Pro-stripping" campaign swings into high gear in West Virginia, and the Surface Mine Association wails about the number of jobs to be lost; the families subjected to hunger or starvation; the corner grocery-store operator who would lose business.

To prove their point, the operators bussed approximately 2000 strip mine workers, wives, kids, heavy equipment operators and manufacturers, insurers and assorted others into the West Virginia state capitol two weeks ago for a wall-to-wall extravaganza which appeared to be aimed primarily aimed at Secretary of State Jay Rockefeller, who has called for the abolition of strip mining.

Carrying commercially printed placards (without union label), the insurgents gleefully waved signs reading:

IMPORT JOBS, EXPORT ROCKEFELLER

THIS IS OUR STATE. WE BELONG HERE, ROCKEFELLER DOES NOT. WE NEED OUR STRIP MINES.

A couple of company helicopters with streamers hovered over the gilded dome of the Capitol Building. (It appeared to be a one-day stand, however, and when the shouting was over, thousands of picket-signs were junked in garbage cans. A few still littered legislative hallways.)

The money source behind this ostentatious display of opposition was vague, but one strip miner's wife related that it was furnished by "UMWA locals and a few coal operators." Others, however, staunchly maintained that their efforts were "voluntary."

An equipment operator for the Cedar Coal Company warned that "a strike in 29 states would be the outcome of a ban on strip mining, with deep miners coming to the support of 'union brothers.' " (Records obtained by a member of the West Virginia Black Lung Assn. show that prior to January 1971 Cedar Coal Co. was NON-UNION. The present status seems to be the same.)

Earl Howell, an appointed UMWA Secretary-Treasurer of District 17, Charleston, W.Va., was quoted by a local GAZETTE writer as saying that the union "isn't in favor of closing down the mines . . . but," he added confidently, *the delegates will realize that we just can't turn our backs on an entire industry."*

(Just as UMWA officials worked diligently two years ago behind the scenes for the passage of a watered-down black lung bill, they have once again been observed hand-holding with the operators. Their pseudo-concern for strip-miners' job security seems as phony as their belated band-wagon stand for underground coal miners' health and safety. If the anti-strip mine bill is defeated, watch them pat themselves on the back!)

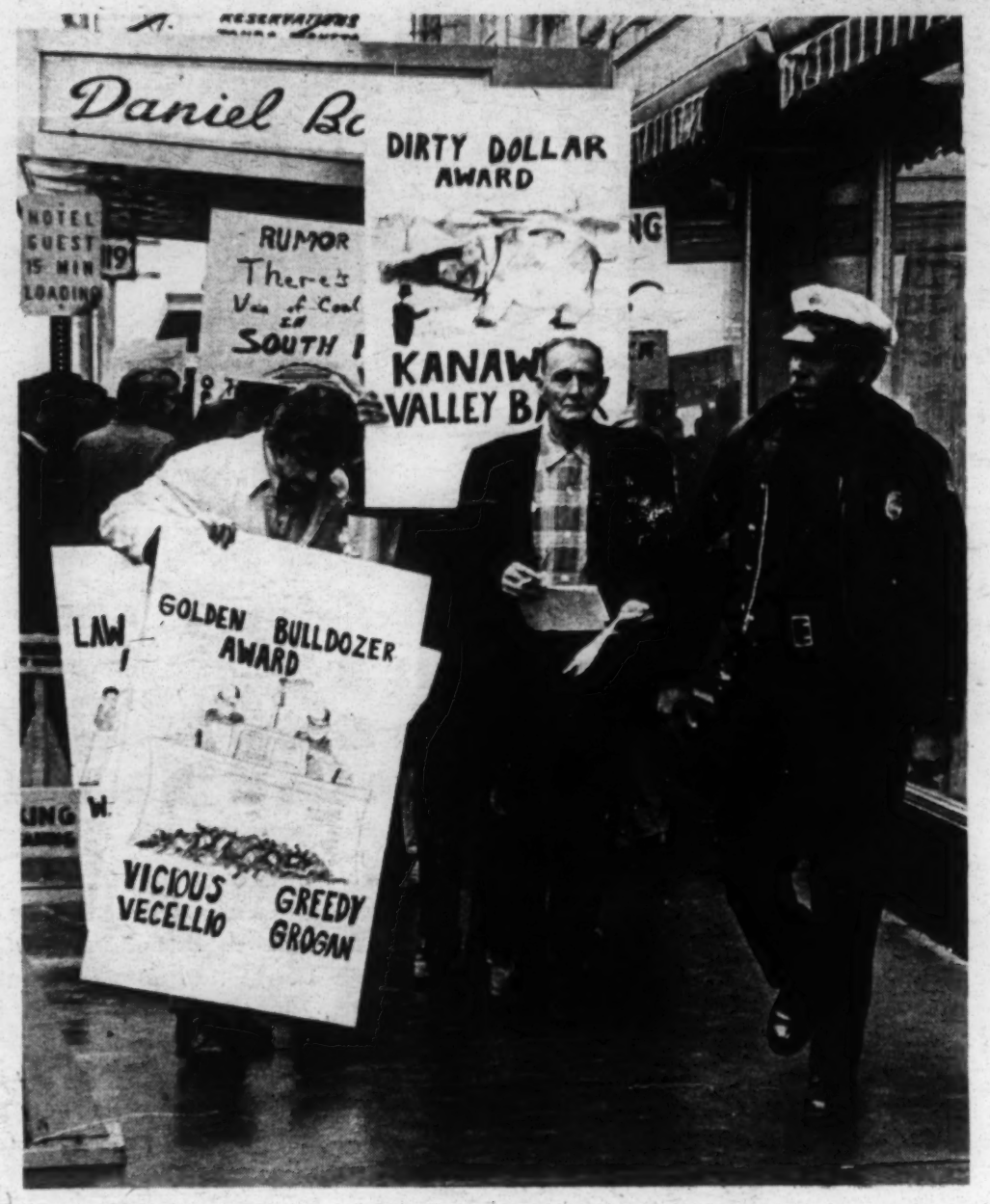
Many underground miners, members of the UMW, have angrily expressed resentment at the union's so-called "representation." Basically, they feel that "strip-miners" are another 'breed of cat' and should not be entitled to union (UMWA) membership or given voting privileges to determine matters relating to underground health and safety problems.

"When John L. Lewis automated underground mines some 20 years ago, where was all the concern for the thousands of men replaced by machinery?" one disabled coal miner said. "I can tell you—it was no where to be found!"

George Joy Titler, the aged, obese vice-president of the UMWA, seized the opportunity to again use his "poison pen" writing skill to take issue with personalities, rather than issues. Titler, who has recently moved back to his impressively landscaped mansion in Beckley (where visions of strip-mined hills are as remote a possibility as Big George giving up his lifetime UMWA pension), wrote West Virginia legislators that they were "being sold a gold brick on strip mining by your august and benevolent Secretary of State John D. Rockefeller IV, who is trying to outlaw strip mines in West Virginia."

Claiming that Jay Rockefeller should "crusade" in Indiana—"where the Standard Oil Company has two large "strip mines," Titler charged that Rockefeller was "depriving 7000 families of their livelihood in West Virginia—while tearing the hell out of the prairie in Indiana with these mammoth dirt movers.

Unemployment, of course, is a realistic problem in West Virginia and one that should not be regarded lightly.



Mrs. Noel Snuffer of Raleigh County, a member of "Citizens to Abolish Strip Mining" replies:

"There has been a lot of hollering about job loss. Of course, no one wants to lose their jobs, but what about two years from now as pollution of the water and erosion of the land continues. What kind of future will our children have?

"The coal companies are making a lot of poor people out of this wealthy state of ours; just look around and you can see substandard education, the worst roads in the country, and the poor people being taxed to death."

And Arnold Miller of Ohley, W.Va. (Kanawha Co.), Treasurer of the West Virginia Black Lung Association, is skeptical about the trauma of job loss:

"These workers are predominantly from out of state," he says, "They are skilled heavy equipment operators who would have no trouble finding work. . . ."

Even the strongest members of abolition groups do not advocate the philosophy that a man's job be taken and his family be left to welfare; but they argue logically that the Galperin bill is not a 'cut off," but a 'phase out' over a two-year period, with retraining programs offered to those displaced miners who might have difficulty securing other jobs. Despite all the arguments of the industry, they maintain that strip mining is simply a short-term investment for operators and a long-term mortgage for residents of West Virginia.

John Pate owns 104 acres of land on Little Big Creek.

"I own the land," he explains, "but it specifies in the deed that I cannot strip. I don't own the mineral rights—and I'm an individual and not a company. Everybody's yelling about 'property rights.' Well, if the damn strip operators can do whatever they please on their land, why don't I have the same rights?

"These deeds were written way back in the idiotic days when the company prospectors went around and bought 'mineral rights' for 50 cents or $1.50 an acre. It was the most unconstitutional, unscrupulous thing ever devised! Right now, they can come in on my property, drill for oil and gas, and never be liable for damages.

"It's one helluva' thing," Pate concluded. "Property owners in West Virginia pay taxes to protect the rights of operators!"

Members of the West Virginia legislature, at this point, appear to be leaning toward the conservative viewpoint—stricter regulations but no total abolishment.

Del. Howard Chambers (D-Mingo), who once owned a strip mine in Virginia, explained to a youthful conservationist why he didn't think 'abolition' was necessary:

"Well, I may not even *be here,* twenty years from now," Chambers rationalized.

Meanwhile, Mrs. William Strange, president of the Surface Miners Auxiliary, polished off a press interview with the statement:

"We are not polluting the state to the extent of exploitation."

The inevitable consequence of such reasoning is that it may someday come back to haunt us all. The "promise" of a 1967 reclamation law in West Virginia that *failed*, has been blatantly excused as "Past History," and strip mine operators now insist their intentions are "sincere."

But Ellis Bailey of Clear Fork, W.Va. (who had the starring role in the film documentary BEFORE THE MOUNTAIN WAS MOVED), moves slowly (he's crippled by arthritis and black lung) and speaks sadly of mountains where he once hunted squirrel and 'coon; and of streams, which now bleed the rusty color of mine acids. He agonizes personally over each tree that's been stripped of bark or knocked down the hillside, and his faith in the "sincerity" of strippers is non-existent.

"They can't put it back," Bailey says bitterly, "They never can put it back again like it was before . . ." And even though Bailey has forgotten his teeth again, his words ring true, and the depth of his emotion is totally understandable.

The Miner's Voice is a newspaper for the reform movement of the United Mine Workers of America. This paper does not intend to be a tool for any group or faction. Instead, it hopes to provide fair and hard-hitting news and opinion of interest to the working miner. The paper was published by the Fund for the Future, Inc. and was paid for in large part by individual miners belonging to the Miner's for Democracy. All letters to the editor should be sent to P.O. Box 255, Morgantown, W. Va. 26505.

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Coalfield Clash

Bitter Miners Assert The 'Black Lung' Law Is Filled With Loopholes

Disabled Men Say Benefits Are Difficult to Collect; 'Slipshod' Diagnoses Cited

9/24/71

'Our Only Weapon: A Strike'

By ~~Bob Harwood~~
Staff Reporter of THE WALL STREET JOURNAL

BECKLEY, W.Va.—~~Peter Bob Gibson~~, a 67-year-old ex-coal miner, steps onto the treadmill. Blood-sampling needles protrude from his left arm. A rubber mouthpiece and tube connect his respiratory system to a bank of testing devices, while electrodes taped to his chest monitor his heartbeat.

Slight, pale and stooped, Mr. Gibson is obviously tired as he begins a six-minute walk on the treadmill. The testing devices are measuring his ability to breathe and the capacity of his lungs for transferring oxygen to the bloodstream. He is going through two days of tests here at the Appalachian Regional Hospital to find out exactly what 31 years in the coal mines have done to his body.

Mr. Gibson, a resident of Rainelle, W.Va., was forced to retire earlier this year after a stroke. He now complains of constant fatigue and shortness of breath. He contends these maladies are caused by a lung disease named pneumoconiosis, more commonly called "black lung," which is an occupational hazard of work in dusty coal mines. But the federal government has told Mr. Gibson he doesn't have a black lung disability—and, through medical tests, Mr. Gibson is determined to prove the government wrong.

Mr. Gibson isn't alone. In fact, he's one of thousands of coal miners who have lost faith in a program they initially thought was a major legislative victory for the country's underground coal workers. The victory they had hailed was the passage of the Federal Coal Mine Health and Safety Act, signed by President Nixon on Dec. 31, 1969. Besides setting mine-safety standards, the act established a black lung compensation program providing cash benefits ranging from $153 to $306 a month for miners who are disabled by pneumoconiosis resulting from their work and for widows of miners who died of the disease.

Bitterness and Frustration

On paper the legislation seemed to be a major advancement for the miners. But initial joy in many cases turned to bitterness and frustration. More than half of almost 300,000 miners who have applied for black lung benefits have been rejected by the Social Security Administration, which has the responsibility under the act for deciding, case by case, which miners meet its requirement of total disability stemming from mine-contracted pneumoconiosis. Social Security statistics show that through Sept. 3 of this year, 145,428 claims for benefits have been allowed, while 147,761 have been rejected.

Indeed, the black lung program has proven far more complicated and controversial than

Coalfield Clash: Bitter Miners Assail U.S. 'Black Lung' Law

Continued From First Page

and a "blood-gas" test, which measures the amount of oxygen absorbed by the blood.

A group of 12 disabled Kentucky miners, aided by a local legal-aid organization, has filed suit in federal district court in Washington, D.C., seeking to eliminate altogether the use of the X ray in determining whether a benefit claimant has black lung. The 12 miners claim to be totally disabled by the disease but have had their benefit claims rejected either because their X rays didn't show spots on the lung or, if they did show spots, a subsequent breathing test ordered by Social Security officials disqualified them.

Some of the plaintiffs claim their examinations were inadequate. Ray Hubbard, a 39-year-old ex-miner from Manchester, Ky., says "a nurse took one picture and I never saw a doctor" during his test at a local hospital. Mr. Hubbard says he's disabled and out of work because of heart trouble and lung impairment; but his black lung claim, he says, was rejected on the basis of that one X ray and one quick breathing test.

Dr. Donald Rasmussen, director of the cardiopulmonary laboratory at the Appalachian Regional Hospital in Beckley, backs up the suing miners. "Many, many miners have been unjustly deprived of compensation," the doctor says. "The Social Security Administration has employed only the simplest and least costly testing procedures in its approach to this complicated problem."

A Call for More Thorough Tests

A second court test, backed up by other medical authorities, is being prepared by the Appalachian Research and Defense Fund, a private, nonprofit lawyers' group in Charleston, W.Va. The evidence for this group's case was gathered by 12 doctors from medical schools and in private practice around the country who recently examined about 30 black lung rejectees in Beckley. Following their examinations, the doctors issued a public statement calling the Social Security testing "unduly and unnecessarily restrictive" and recommending more thorough diagnostic efforts, including blood-gas tests.

One of the dozen physicians is Dr. John Rankin, chairman of the department of preventive medicine at the University of Wisconsin. Dr. Rankin says the breathing test used by Social Security only measures the ability of an individual to breathe air in and out—while black lung interferes with the lung's ability to transfer oxygen to the blood. "A man can have a perfectly normal breathing test and be severely disabled," the doctor says. A blood-gas test, however, detects impairments such as black lung.

Another doctor in the group says that rejections based on the current Social Security tests "should offend us all as doctors." He adds: "The denial of benefits to men too short of breath to walk half a flight of stairs should offend us all as citizens."

On the congressional front, the black lung controversy is spurring an amendment to the 1969 act. The House Labor Committee has passed an amendment sponsored by Rep. Carl D. Perkins of Kentucky that would prohibit rejection of claims solely on the basis of chest X rays and would extend for two years the federal administration and financing of the black lung program.

The full House is scheduled to vote on the amendment next week. Passage is considered likely, since little opposition to the change has appeared. Indeed, coal industry interests would welcome a two-year reprieve from shouldering the black lung cost burden. The cost is no small matter. The benefits paid thus far exceed $400 million and are currently running at a monthly rate of more than $25 million.

Keeping the Heat On

In the coalfields, the Black Lung Association and its allies are campaigning to keep the heat on the government to improve the medical screening of claimants. "Our goal isn't to see that everyone who files a claim gets paid, but that they get proper consideration," says the association's Mr. Miller.

Mr. Miller's group is widely distributing in mining areas a "how-to-fight-the-establishment" cartoon booklet titled, "Black Lung Bill Battles Social Security." Featuring heavy-handed caricatures (one drawing depicts President Nixon and a coal company man, hand in hand, standing on a pile of downtrodden miners), the booklet advises miners what evidence is needed to prove black lung, how to appeal a rejected claim and how to "play the Social Security game."

Significantly, the United Mine Workers union isn't playing an important activist role in the black lung controversy. The union hasn't joined in the Kentucky miners' suit or aided in the gathering of evidence to back those fighting the Social Security. In fact, the black lung battlers are generally allied with the dissident factions in the union who are at odds with their president, W. A. "Tony" Boyle, and his administration. Mr. Miller charges the union "isn't concerned" with the black lung controversy.

A spokesman for the Mine Workers responds that the union has supported black lung compensation since the early 1950s and, since the passage of the law, has established counselors in each of its district offices to aid miners in filing claims. The spokesman, however, concedes the union won't have anything to do with the anti-Boyle black lung battlers.

Social Security Administration officials also defend their role—although they admit there's room for improvement. To complaints about testing procedures, Mr. Popick counters that "there's a small minority (of doctors) who question the use of the X ray but the predominant medical opinion is that without an X ray you can't prove total disability."

No Basic Disagreement

Mr. Popick adds that he has "no basic disagreement" with critics who say that more thorough testing methods should be utilized and that more medical examining facilities should be made available to miners. But he says that tests other than the X ray and the simple breathing test currently being used "take sophisticated knowledge, techniques and equipment" that aren't widely available in mining regions for the processing of large numbers of black lung claims.

Mr. Popick further reports that Social Security and the Public Health Service are jointly starting a new pilot program "which will test a few hundred miners whose applications have been denied" to determine what other tests might be used in the future.

Still, Mr. Popick contends, the Social Security Administration is administering the law as passed by Congress. He further asserts that many of the agency's difficulties, and the resulting controversy, stem from "misinformation." For example, he says, miners with disabling diseases other than pneumoconiosis—including emphysema, asthma and bronchitis—that may have been aggravated by work in the mines are nevertheless ineligible for black lung benefits.

"It's difficult for a man to understand that he can be totally disabled but not by pneumoconiosis and thus not receive benefits," Mr. Popick says. And, reflecting on the black lung program's many problems, he adds: "We don't have the final answer by a long shot."

Nor does Peter Bob Gibson have his final answer from his tests at the Appalachian Regional Hospital. He, and others like him, continue to wait and hope, ironically, that their diagnostic results will indicate the presence of black lung disease.

ment has told Mr. Gibson he doesn't have a black lung disability—and, through medical tests, Mr. Gibson is determined to prove the government wrong.

Mr. Gibson isn't alone. In fact, he's one of thousands of coal miners who have lost faith in a program they initially thought was a major legislative victory for the country's underground coal workers. The victory they had hailed was the passage of the Federal Coal Mine Health and Safety Act, signed by President Nixon on Dec. 31, 1969. Besides setting mine-safety standards, the act established a black lung compensation program providing cash benefits ranging from $153 to $306 a month for miners who are disabled by pneumoconiosis resulting from their work and for widows of miners who died of the disease.

Bitterness and Frustration

On paper the legislation seemed to be a major advancement for the miners. But initial joy in many cases turned to bitterness and frustration. More than half of almost 300,000 miners who have applied for black lung benefits have been rejected by the Social Security Administration, which has the responsibility under the act for deciding, case by case, which miners meet its requirement of total disability stemming from mine-contracted pneumoconiosis. Social Security statistics show that through Sept. 3 of this year, 145,428 claims for benefits have been allowed, while 147,761 have been rejected.

Indeed, the black lung program has proven far more complicated and controversial than anyone imagined in 1969. As the miners' disillusionment with the program has deepened, the controversy has led to a campaign in the coalfields, the Congress and the courts to change the program. And there are rumbles of "black lung" strikes if the change doesn't come.

"It may take a shutdown of production to get fair black lung benefits," warns Arnold Miller, a retired miner from Ohley, W.Va., who is now president of the Black Lung Association, a miners' group formed to lobby for such benefits. Strikes, Mr. Miller adds, are "the only real weapon" miners have.

The outcry over the Social Security Administration's black lung rejections has been particularly loud in West Virginia and Kentucky, due to a noticeable disparity in the rejection rate from state to state. In Kentucky, 68% of 31,694 miners' claims have been turned down; in West Virginia, 54% of the state's 55,549 claimants have been rejected. But, in sharp contrast, some 70% of the 93,854 claims processed in Pennsylvania have been approved.

Difficult to Detect

Unhappy miners charge that the rejection-rate disparity isn't caused by chance. Pneumoconiosis is a difficult disease to detect, and the miners claim there aren't enough qualified doctors and properly equipped medical facilities in the isolated mountain regions of Kentucky and West Virginia to permit thorough medical examinations.

The miners further charge that doctors in these mountain regions are often influenced by the views of the coal industry—which stands to inherit a large financial liability when the financing of black lung benefits reverts to state administration. (The program will be federally financed at least until Jan. 1, 1973. When the states take over the program, the coal companies will pay costs either through direct assessments or through state workmen's compensation systems.)

Social Security officials say there are other reasons for the disparity. Bernard Popick, director of the Bureau of Disability Insurance, says the Pennsylvania claimants were, on average, "significantly older" with a longer exposure to coal dust than claimants in the other states. He adds, furthermore, that black lung is more prevalent among anthracite (hard) coal miners than among bituminous (soft) coal miners, and Pennsylvania still has thousands of retired workers from the once-large but now-dying anthracite industry.

The real battle, however, isn't over state-by-state differences but over methods of testing for the disease. Disgruntled miners contend that the Social Security Administration is rejecting claims on the basis of insufficient and even slipshod diagnoses. And to back up their contention, the miners have marshaled an impressive corps of lung specialists.

The crux of the controversy is the government's reliance on X rays as the primary basis for accepting or rejecting a claim. The miners' groups and their supporting medical authorities contend that a single X ray and a simple accompanying breathing test aren't sufficient to prove the absence of black lung. Instead, some miners recommend a series of X rays

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blood-gas tests.

One of the dozen physicians is Dr. John Rankin, chairman of the department of preventive medicine at the University of Wisconsin. Dr. Rankin says the breathing test used by Social Security only measures the ability of an individual to breathe air in and out—while black lung interferes with the lung's ability to transfer oxygen to the blood. "A man can have a perfectly normal breathing test and be severely disabled," the doctor says. A blood-gas test, however, detects impairments such as black lung.

Another doctor in the group says that rejections based on the current Social Security tests "should offend us all as doctors." He adds: "The denial of benefits to men too short of breath to walk half a flight of stairs should offend us all as citizens."

On the congressional front, the black lung controversy is spurring an amendment to the 1969 act. The House Labor Committee has passed an amendment sponsored by Rep. Carl D. Perkins of Kentucky that would prohibit rejection of claims solely on the basis of chest X rays and would extend for two years the federal administration and financing of the black lung program.

The full House is scheduled to vote on the amendment next week. Passage is considered likely, since little opposition to the change has appeared. Indeed, coal industry interests would welcome a two-year reprieve from shouldering the black lung cost burden. The cost is no "take sophisticated knowledge, techniques and equipment" that aren't widely available in mining regions for the processing of large numbers of black lung claims.

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7-28-71

Getting Off Lightly

Coal-Safety Violators Get Bargain-Rate Fines From Bureau of Mines

Earlier Guidelines Ignored In Penalties for Violations Endangering Miners' Lives

An Elusive, Informal Policy

7/28/71

By BURT SCHORR
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Island Creek Coal Co., the nation's No. 3 coal producer, has recently drawn 30-odd government citations for unsafe mine conditions said to threaten immediate injury or death to miners.

According to guidelines published by the Interior Department in January, the usual penalty for each such safety violation should be between $5,000 and $10,000. But assessors in the department's Bureau of Mines have actually proposed penalties (subject to change on appeal to higher authority) of only $2,000 each. Thus Island Creek stands to save some $90,000.

The assessors were faithfully following an unpublicized policy established by Edward D. Failor, the Nixon administration's man in charge of mine safety penalties; Mr. Failor is a former Iowa municipal judge and public relations man for Republican congressional candidates. Under his policy, mine owners are being assessed at a bargain rate well below the published version for "imminent hazard" withdrawal orders—the most serious of several types of orders requiring withdrawal of miners from the pits.

Penalties proposed in less serious cases have been pegged at the published minimum. And, on Mr. Failor's instructions, Bureau of Mines assessors have refrained from raising the penalty for mines where these types of withdrawal orders have been issued again and again.

A few weeks ago, in accusing the bureau of laggard safety enforcement, Congress' General Accounting Office cited a failure to "assess sufficiently large penalties" in order to induce "mine operators to take the necessary actions to insure full compliance" with the Coal Mine Health and Safety Act of 1969.

How Tough? Nobody Knows

Singed by such criticism, bureau officials have been warning the coal industry to expect tougher penalties once the assessors get around to citations issued after March 31. Just how tough, though, they don't make clear.

None too clear, either, are officials' explanations, or non-explanations, of their penalty policies.

Most mysterious of all, perhaps, is Mr. Failor himself, the bureau's No.2 man and holder of a specially created title that may be one of the longest in Washington: staff associate to the director and chief, Office of Assessment and Compliance Assistance. Although his assessors say they are hewing to an informal penalty schedule approved by their chief, Mr. Failor smilingly denies the existence of any such sub rosa procedure.

"Assessors using another assessment table?" he scoffs with the innocence of comedian Danny Kaye, whom he slightly resembles. "How can I know what is in somebody else's mind?"

An Interior Department lawyer is more candid. He acknowledges that the assessment schedule published by the Interior Department in January differs from the one being followed in practice, but he insists the deviations are perfectly legal. Then why hasn't the published version been amended to reflect actual assessments? Well, concedes the lawyer, perhaps this

Getting Off Lightly: Coal-Safety Violators Get Bargain-Rate Fines

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sure weather systems tend to suck bigger amounts of explosive methane gas from coal seams into mine passages.

Ignoring the Criteria

In its report criticizing safety enforcement, the GAO found that the bureau's assessment chief "has established his own schedule" for penalties and wasn't taking into account six criteria prescribed in the 1969 law for determining assessments. Among them: possible negligence on the part of a mine owner and his history of previous violations. The GAO said it was told previous violations weren't affecting penalties "because the period March 30, 1970, to April 1, 1971, is being considered as an educational period for the operators to become familiar with all the provisions of the act."

Several months before release of the GAO report, Democratic Rep. Ken Hechler of West Virginia, who regularly attacks the mines agency as favoring the "coal barons," complained to Interior Secretary Rogers Morton: "It would seem that (an assessor) must consider these (six) factors only if he wants to increase the minimum or decrease the maximum penalty set forth in the guidelines."

In reply, Assistant Secretary Hollis Dole, Mr. Osborn's immediate boss, explained that the penalty ranges announced in January are only "general" guidelines. He then referred to a footnote to the penalty table that states: "Consideration of all relevant circumstances . . . may warrant . . . a civil penalty . . . more or less than the range set forth above."

Slicing the Bill

If bureau assessors have such latitude (and the assessors themselves say they don't), it's tightly circumscribed by Mr. Failor. This is evident in cases chosen at random from files in the bureau's assessment office. Consider the treatment of more than 150 safety violations alleged against the Federal No. 2 mine in Monongalia County, W.Va., owned by Eastern Associated Coal Corp., a subsidiary of Eastern Gas & Fuel Associates.

Assessing the 95 citations issued in 1970 at Federal No. 2, the bureau proposed that the company pay $13,225—$4,000 for two "imminent hazard" withdrawal orders at $2,000 each; $9,200 for 92 "serious" violations (involving practices likely to cause death or serious harm to miners, though not an imminent hazard) at a flat $100 apiece, and $25 for a single "nonserious" violation.

After Eastern protested these assessments, many of the alleged serious violations were reduced to the nonserious category, slicing the total bill to $8,675. Eastern now has paid $3,350 of the reduced amount and says it will seek a hearing on the remainder.

A second round of proposed assessments, covering citations issued during the first three months of 1971, calls for an additional $13,200 payment for Federal No. 2. This time the assessors had five "imminent hazard" withdrawal orders to consider, but their suggested penalty for each remained unchanged at $2,000.

The first of these 1971 orders was issued on Jan. 21 when an inspector said he found excessive amounts of loose (and possibly explosive) coal in one section of the mine.

A Tidy Saving

The latest of the five orders came on March 16, when an inspector found widespread deposits of tiny coal particles called "coal float dust." In addition, one of the rubber-tired coal shuttle cars had "excessive accumulations of oil spillage" and an opening in the front headlight lens-holder greater than the .006 inch allowed by law; a second shuttle car had loose packing around its rear electrical junction box, the inspector said. (Electrical connections open to mine atmosphere can be a source of explosion-causing sparks.)

It's impossible to say how much the coal industry is saving altogether because of Mr. Failor's assessment policy, but the effect of the bargain rates for "imminent hazard" withdrawal orders alone is fairly easy to measure. Had the bureau assessors been guided by the published $5,000 minimum, penalties proposed for such orders issued through March 31 probably would total around $6 million. In fact, however, they are expected to amount to only about $2.5 million. Actual penalties for all types of violations during the period up to March 31 probably will only come to $4.5 million. (Though many of the cases date back before January, some as far as the spring of 1970, penalties in most cases weren't assessed until after the guidelines were drawn up.)

One intriguing comment on whether the Failor policy satisfies the intention of the 1969 act is contained in an opinion that an Interior Department hearing examiner recently handed down in the case of a small Wise County, Va., coal operator—the first occasion for an examiner's review of assessments proposed by the bureau under the law.

The respondent, Robert G. Lawson Coal Co., originally was assessed $800; the bureau later reduced the amount to $525. (The company failed to pay the proposed figure and wasn't represented at the hearing.) However, Examiner Alfred P. Whittaker, after applying the law's six criteria to 21 citations against the company, concluded that a total of $9,800 in penalties—almost 20 times the bureau's figure—was called for.

Discussing the question of employer negligence as a factor in the stiffest single assessment, $1,750, that he recommended, Mr. Whittaker said: "There is no evidence in the record which tends to show affirmatively that the respondent took any action at any time to shut down the mine in question or to curtail his production of coal by shifting any of his mine workmen to the urgent task of correcting the very real hazard.

"Such action . . . clearly would have implemented the vital congressional intent to improve the actual working conditions in the coal mines."

Timken Co. Equipment Spending

CANTON, Ohio—Timken Co. said it plans to spend more than $2 million during the next two years on new bearing-component production equipment at its Canton and Columbus, Ohio, plants.

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If coal companies are appreciative of the penalty policy, though, there's little evidence in their carefully guarded comments. Island Creek "has made no attempt to evaluate the propriety" of the bureau's assessments, a spokesman says, but the amounts "undoubtedly reflect the best judgment of the Bureau of Mines considering its limited experience under the new law."

Joseph E. Moody, president of the Bituminous Coal Operators' Association, whose members produce about two-thirds of U.S. coal, has only harsh words for the entire penalty procedure. Under the Mine Safety Act, "major and multiple penalties can be assessed without the accused having recourse to a day in court or a determination of the fact," Mr. Moody complains.

Officially, Bureau of Mines policy-makers tend to agree with the coal industry that too-stiff penalties imposed under the 1969 law could antagonize mine operators and possibly hurt U.S. coal production.

Not Fund-Raising for Widows

"This isn't a revenue measure; we're not trying to raise money for the widows. All the bureau wants to do is get compliance with the law," asserts Bureau of Mines Director Elburt F. Osborn.

But Mr. Osborn, a geochemist who was a Pennsylvania State University vice president before coming to Washington last October, seems uncertain about the details of his bureau's assessment program. When a reporter notes that the proposed penalties for "imminent hazard" withdrawal orders have consistently been $3,000 lower than the minimum published guideline figure, he professes ignorance of the fact. "I'll look into it," he promises. "Maybe that's something we shouldn't be doing."

Some others in Washington are more concerned. Senate Labor Committee Chairman Harrison A. Williams of New Jersey, a key sponsor of the 1969 act, believes soft penalties may be one reason the law hasn't done more to reduce mine deaths.

Indeed, between April 1, 1970 and June 30, 1971, the number of miners killed in accidents, including 38 men caught in a Leslie County, Ky., mine blast last December, shot up to 309 from 246 in the preceding 15-month period. During the past six months the trend apparently reversed; only 97 men died, six fewer than in 1970's first half and the lowest number of mine fatalities since 1946. But a Bureau of Mines safety expert warns that the trend won't be solid until it takes into account the dangerous October-December period when low-pres-

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CANTON, Ohio—Timken Co. said it plans to spend more than $2 million during the next two years on new bearing-component production equipment at its Canton and Columbus, Ohio, plants.

Eight Small Strip Mining Firms Challenge Coal Mine Safety Act as Unconstitutional

12/2/71

By a WALL STREET JOURNAL *Staff Reporter*

PITTSBURGH — Some strip coal mining companies challenged the 1969 Coal Mine Health and Safety Act in U.S. district court here.

The suit, which asks for an injunction against enforcement of the federal act and a hearing on its constitutionality by a panel of three federal judges, was filed by eight small strip mine companies from Western Pennsylvania's Butler and Mercer counties. Although similar suits have been filed by underground mining companies in Virginia and Kentucky, this is the first known one by strip miners.

The companies, which say they mined 900,000 tons of coal last year, contend that enforcement of the act by the U.S. Bureau of Mines would result in the unconstitutional confiscation of private property by preventing them from mining coal.

They also assert that bureau inspectors aren't qualified to judge strip mines and are using regulations written for underground operations. They also say that they have been told to put rollbars on bulldozers and backup warning sirens on mobile equipment, devices they claim are nonexistant.

However, Robert Barrett, acting manager of the Bureau of Mines district for Western Pennsylvania and who is named as a defendant in the suit along with Interior Secretary Rogers Morton and Health, Education and Welfare Secretary Elliot Richardson called the criticism unfounded. "At least a half dozen suppliers have told me they can install sirens," Mr. Barrett said, "and roll-bars are certainly nothing new either."

But Mr. Barrett conceded that frequent inspection of strip mines in his area is new. He said his department has concentrated on underground mine inspection because these have "the biggest hazards." Bureau of Mines regulations for strip mines took effect in July, and when the recent coal strike closed down most underground mines, inspectors were able to concentrate on strip mines, he said.

A date for a preliminary hearing on the suit hasn't been set.

Sep 8, 1972

Coalfield Clash

No Matter Who Wins Mine Workers' Fight, Union Likely to Change

Vote Seen Too Close to Call; Troubled but Strong Boyle Retains Loyalties of Many

9/8/72

'Can Live Without Violence'

By JOHN V. CONTI
Staff Reporter of THE WALL STREET JOURNAL

PITTSBURGH — Another bitter battle for control of the turbulent United Mine Workers union is about to be waged in the nation's coalfields.

On one side is incumbent president W. A. (Tony) Boyle, the 70-year-old successor to John L. Lewis. In 11 years in office, Mr. Boyle has followed the Lewis tradition of ruling with an autocratic and often dictatorial hand. In seeking to retain power in the 190,000-member union for another five years, Mr. Boyle clearly has troubles. He has been convicted of misusing union funds. His reign has been tainted by the murder of Joseph A. (Jock) Yablonski, his rival in the last UMW election in 1969. And he is being forced to run for office at this time because the courts found evidence of widespread irregularities in that 1969 election and declared it void.

Pitted against him is Arnold Ray Miller, 49, a plain-spoken former local union president from Ohley, W. Va., who leads the Miners for Democracy, an angry and potent coalition of rank-and-file dissidents formed by followers of Mr. Yablonski after his death. Mr. Miller says he wants to be president so he can "make it impossible for there ever to be another Tony Boyle in the United Mine Workers union."

A Sour-Tempered Affair

The campaign, which got under way this week with big Labor Day rallies for both sides, promises to be a mean and sour-tempered affair. Mr. Boyle's men call Arnold Miller a know-nothing radical controlled by outsiders bent on destroying the union. The Miners for Democracy has compared Mr. Boyle with Adolf Hitler and vows to cleanse the union of its reputation for malfeasance and murder.

The voting will be held Dec. 1 through Dec. 8. Talks with miners, company men and others throughout the Appalachian coalfields indicate that both candidates have considerable support. The best guess now is that the fight will be close. Whatever the outcome, though, this contest between the reformers and the forces "loyal to Boyle" could well result in a reshaped union.

Mr. Boyle, for all his troubles with the law, retains a firm grip on the loyalties of many miners. Even his opponents concede he'll run well among the union's 70,000 retired members, many of whom had first-hand experience in the union's early struggles under Mr. Lewis and remain loyal to his successor. Others say they've fared well under Mr. Boyle's leadership. Wages, which will reach $50 a day by the end of next year, are "more than any man in the mines ever expected to make," says Bob Sparks, a 39-year-old shuttle-car operator at a Bethlehem Steel Co. mine near Jenkins, Ky. "We've progressed always."

In addition, there's a deep suspicion among some miners that the government's charges against their leader—such as his recent conviction for illegally using union funds to support the 1968 Democratic campaign of Hubert Humphrey—are politically motivated. "He hasn't done one thing more than the rest of the unions in giving money to the politicians," claims Elijah Clouse, a recently retired miner from McRoberts, Ky.

"I Made a Mistake"

Still, if there's any edge in the contest so far, it may well belong to Mr. Miller. He leads what could prove to be one of the strongest rank-and-file "reform" movements in the history of American labor. He has inherited the supporters of Mr. Yablonski, who was credited with 46,000 votes, or about a third of the ballots cast, in the voided 1969 election. And from all evidence, he's attracting many other miners whose allegiance to the beleaguered union hierarchy has waned—and in some cases turned to hostility—in the wake of the barrage of charges, investigations and court action.

"I made a mistake in voting for Tony Boyle last time," says John Ratliffas, a retired miner from Meador, W.Va. "And if he's guilty of what they've got him on, then I made a big mistake."

Mr. Miller has several advantages Mr. Yablonski didn't have three years ago. For one thing, there's likely to be an honest vote. Balloting this year will take place under the strictest supervision that the U.S. Labor Department has ever given any union election. Department men will be at each polling place, and it's they who will carry the sealed ballot boxes back to Washington for counting. (In ordering the new election last May, federal Judge William B. Bryant found, among numerous other violations, that the secret ballot had been denied at some polling places in 1969 and that the salaries of many union employes had been raised to insure their support for Mr. Boyle.)

The Bees From Washington

The union is currently being run under a virtual Labor Department trusteeship. Department monitors are present in all UMW offices with authority to inspect all books and turn down any financial transaction until the election. "The Labor Department guys have been all over us like a swarm of bees," one union staffer complains.

Mr. Miller's candidacy is also receiving favorable publicity in the United Mine Workers Journal, the religiously read, twice-monthly union newspaper—a stark contrast to 1969 when Mr. Yablonski's campaign was barely mentioned. Judge Bryant ordered the Journal to turn over equal space to the MFD. Thus while the Journal in the past had never said anything less than laudatory about Mr. Boyle, a recent issue carried this heretical headline: "Boyle Conviction Is Shocking, Embarrassing to UMWA Members." (See story about the Journal on page 17.)

Unlike most struggles for power in American unions, the contest in the UMW isn't a palace revolt pitting one established union leader against another. Mr. Miller has never held

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Is This Any Way to Run a Newspaper? The Only Way, Says Labor Department

By ELLIOT CARLSON
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—There's a new team of editors over at the United Mine Workers Journal, and they're making something unique out of the small union newspaper.

They never see each other, never know what the other is writing, never agree on anything and accuse each other of bias. When they aren't name-calling, they're hauling each other into court to expunge something written by the other. This happens approximately all the time, which delays the 180,000-copy press run and makes one or the other editor even angrier.

Is this any way to run a newspaper? Well, yes, according to Federal Judge William Bryant, who ruled last May that the paper had been used illegally to promote the reelection of W. A. (Tony) Boyle as UMW president. For this and other alleged irregularities, Judge Bryant set the election aside and ordered a new one to be held later this year under Labor Department supervision.

The judge also turned supervision of the union's semimonthly newspaper over to the Labor Department, with the stipulation that dissident miners get access to it. So the department worked out a complex formula whereby half the 32-page paper is straight news and the rest is divided among the various candidates for posts in the UMW election.

In the Journal's second section, anybody can say just about anything he wants. So the Miners for Democracy, the dissident group formed after the death of Joseph A. (Jock) Yablonski, who was murdered shortly after he lost the 1969 election to Mr. Boyle, consider the Journal as much theirs as anybody else's. And they've named 26-year-old Don Stillman, editor of the dissidents' Miners Voice, to edit their portion of the Journal. He calls himself the "section editor."

In a Word: Schizophrenic

All of this enrages Justin McCarthy, 57, the paper's regular editor, who says Judge Bryant's decision "amounts to seizure of private property" and "violates freedom of the press." Mr. Stillman disagrees. "Until now," he asserts, "free speech for miners opposed to Boyle has been nonexistent. The paper wouldn't even carry letters to the editor from them."

There's only one word to describe the tabloid as it has appeared under Judge Bryant's decision: schizophrenic. This split personality reflects the two men who do most of the work. They have little in common except for journalism.

Mr. McCarthy, rumpled and bearded, is an old pro who worked for years on the old Chicago Sun before taking over at the Journal in 1955. The $22,600-a-year editor and his three-member staff work out of spacious headquarters here that were converted from a bank into a newsroom. He's also a dues-paying member of the UMW, and he calls Mr. Stillman, who isn't, an "outsider."

The mustachioed Mr. Stillman, only a few years out of school, is still learning the business. He's paid a token $100 a month from the Miners for Democracy and $4,500 a year from the Appalachian Public Interest Journalism Group, a foundation-financed organization set up to improve news coverage in the Appalachian area. He and his two-member staff operate out of a ramshackle four-room office in Charleston, W.Va., in the middle of the coal-producing region.

From the start, it has been just one thing after another. The first issue under the new order, scheduled to be published July 1, was delayed a week because UMW lawyers protested that Mr. Stillman was "usurping" the Journal's regular masthead for dissident editorials. What especially rankled UMW officials was that the editorial began: "The sentencing of W. A. (Tony) Boyle to five years in federal prison for criminal embezzlement came as a shock, not just to Boyle's shrinking cadre of supporters but to most UMW members." (Mr. Boyle is appealing the conviction, which involved the use of union funds for political contributions.)

News or Propaganda?

Judge Bryant barred the Miners for Democracy from using the masthead, reasoning that it was union property and might confuse readers. The dissident editorials now run under a masthead that simply says, "editorials."

For its part, the dissident group has had a few complaints with Mr. McCarthy. In July, Miners for Democracy charged that he was letting part of the 16 pages set aside for "neutral" news stories be used for propaganda from pro-Boyle candidates. Though the Labor Department had permitted this to make room for late-arriving copy from new candidates, the dissidents contended it was all part of a trick to get in more material from pro-Boyle people. Judge Bryant blocked the practice from being repeated.

Ultimately, the journalistic standoff will be settled by miners in the election in December. The UMW, however, is appealing the judge's order calling for the election, partly on the ground that insofar as his order affects the Journal it violates the freedom of the press. But the dissidents contend the Journal was used in violation of the Landrum-Griffin Law, which forbids money raised from members' dues to be spent on behalf of any union candidate.

Coalfield Clash: Whoever Wins Fight, Union Likely to Change

Continued From First Page

more than a local union office. Moreover, he didn't create the coalition he leads. He was elected the MFD standard bearer at a "reformers'" convention in Wheeling, W. Va., last May. His power and influence are tied to the strong grass-roots support the Miners for Democracy movement has attracted.

A man with a reputation for quiet and effective work, Mr. Miller is making reform the theme of his campaign. "It's time to restructure the union and make it responsive," he tells UMW members in mine-site speeches. And the former mine mechanic repeatedly tells a reporter, "My one goal is to bring democracy to this union." If elected, he says, he plans to serve only one term and then relinquish power. He would cut the salaries of top officials, including the president's (currently $50,000 a year), and move the union's headquarters from Washington to somewhere central to the coalfields, like Charleston, W. Va.

He would put more power into the hands of UMW members by requiring that all district officers and executive boards be elected. Currently, most officers in the union's 24 districts are appointed by Mr. Boyle, a practice that courts in recent decisions involving eight districts have found in violation of federal law. Mr. Miller also promises to put an end to the union's notorious nepotism and abolish the practice of allowing some favored union officials to hold more than one office.

While he has little to say about wages, he charges that the Boyle administration has been capricious at best and corrupt at worst in its handling of other union affairs. A shoddy administration of UMW pension funds, for instance, has cost many retired miners the benefits they're due, Mr. Miller contends. He promises to raise pensions to $200 a month from the current $150 a month for soft-coal miners and only $30 a month for anthracite workers. Mr. Boyle is vulnerable to the attack: the courts have thrown him off the board of trustees of the union's pension fund and have found the union and the National Bank of Washington, which the UMW controls, guilty of conspiring to misuse pension funds. At one point, the bank held $70 million in UMW pension funds in interest-free accounts.

A Violent Past

Mr. Miller also points to the 44,000 nonunion bituminous coal miners in the country today as proof that the UMW under Mr. Boyle has neglected its organizing chores. And he cites recent mine disasters to underscore his claim that the union has been lax in pressing for more stringent safety regulations.

But always there's the undercurrent of the union's violent past. "There's been blood throughout the history of this union," says Herbert Hurley, a 43-year-old miner and MFD supporter in Peck's Mill, W. Va. "But people are beginning to realize that we can live without violence."

Mr. Boyle hasn't been implicated in the slayings of Mr. Yablonski, his wife and daughter, which occurred three weeks after the 1969 vote. But Albert Pass, a member of the union's 26-man policy-making executive board, and another, lesser, union official will go on trial for murder in the case in Washington, Pa., in a few weeks. Five other persons, none of them union officials, already have been convicted in the slayings. (However, a court has ordered Mr. Boyle to pay damages to the Yablonski heirs on the ground that the 1969 challenger was removed from a high union post in reprisal for his decision to run against Mr. Boyle for the presidency.)

"Our problem," confides Harry Patrick, the Miners for Democracy candidate for secretary-treasurer, "is to separate the union from its leadership.

Boyle Campaign

In contrast to the early hustle and bustle of the MFD effort, Mr. Boyle has been slow to get his campaign under way and apparently is having trouble financing it. He didn't pick a slate of running mates until mid-July. His choices, however, have strengthened his ticket; two aging running mates from past years, Vice President George Titler, who is 77, and Secretary-Treasurer John Owens, 82, were dropped for younger men. Mr. Titler, in fact, resigned his office and was replaced by Leonard J. Pnakovich, 53, a respected district leader from Fairmont, W. Va.

Mr. Pnakovich, in fact, could become the next UMW president. Mr. Boyle is appealing his recent conviction in the political-contributions case, but if he's unsuccessful he'll be barred by federal law from holding union office for five years. If such a ruling should come after an election that the two incumbents win, Mr. Pnakovich would automatically ascend to the top. Should Mr. Boyle be ousted from office before the balloting, the newly appointed vice president would become interim president and could complete the campaign from a position of power.

Mr. Boyle has rarely spoken to reporters in recent years and wouldn't be interviewed for this story. Mr. Pnakovich, however, is more accessible, and he readily outlines the main theme of the Boyle campaign: that "outsiders are trying to take over and disrupt and control the union." Mr. Boyle stressed the same theme at a big Labor Day rally in Grundy, Va.

"There's no telling who all is behind this movement," the UMW vice president says of the Miners for Democracy. But he hints that the Atomic Energy Commission and corporate interests (others add John D. (Jay) Rockefeller IV, the Democratic candidate for governor of West Virginia and heir to the Standard Oil fortune) are somehow involved and are seeking to control the country's energy sources. "The miner's union is important from the standpoint that coal is energy and energy is scarce at the moment," Mr. Pnakovich asserts.

A Changed Union

In addition, he believes that the MFD campaign is being financed by "foundations," a charge that the MFD denies. While the MFD contends that it has raised only about $30,000 for Mr. Miller's campaign from about 2,000 contributors, mostly miners, Mr. Pnakovich admits that finances are also proving a big problem for Mr. Boyle. Contributions from miners is a "pretty dry source" for both sides, the UMW official says, and the courts have forbidden union officers from accepting contributions from union employes. That leaves only their own pockets, and with the recent fines levied against Mr. Boyle, that source, too, is quite limited.

Whatever the outcome of the election, it's likely the Mine Workers union, over the next few years, will change vastly. George Titler and John Owens—two union stalwarts over the years and a true "old guard"—won't be around anymore. Tony Boyle, even if he wins, may well be unable to serve. Mr. Pnakovich, though closely tied to Mr. Boyle in the past, represents a new generation of UMW leadership that's yet to try its hand at the union's reins.

Should Mr. Pnakovich succeed to the union presidency, he may have to move in the direction of many of the changes proposed by the Miners for Democracy anyway—if only to keep the union together. The MFD is potent enough and the passions behind it great enough that it isn't likely to just wither away if its candidates lose this year.

Among other things, there will clearly be more political activity in the union because of the court rulings requiring the election of district officials. Thus even if they lose this time, the MFD insurgents will have the opportunity to build political power bases in their districts, to bring a variety of views to the executive board and to keep pressure on the leadership.

Many company men, for their part, fear that both sides are so strong that internal fighting will continue no matter who wins—perhaps leading to a continuation of the pattern of frequent wildcat strikes that have occurred in recent years, largely because no one in the union has been strong enough to prevent them.

Waste for Wastelands

Chicago's Use of Sewage Sludge in Effort to Make Strip-Mined Areas Fertile Again Stirs Controversy

By JOSEPH WINSKI
Staff Reporter of THE WALL STREET JOURNAL

CHICAGO — It sounds reasonable enough: Instead of burying, burning or dumping all the sewage sludge that the country pours out every day, spread it out on farmland and even barren wasteland to make things grow.

Chicago, which operates the world's largest sewage treatment works, is doing just that in an ambitious project conducted jointly by the city sanitary district and a commercial company. The effort is getting raves from environmentalists, scientists and city sanitation officials—just about everybody, in fact, except the folks down in Grundy County, some 60 miles southwest of Chicago. In 1971, they ran a Chicago sludge-spreading operation out because, as one local man put it: "We don't want Chicago's ____ in our back yard."

Thus, Chicago's efforts exemplify two countercurrents in the clean-up-the-environment movement. On the one hand, more and more efforts are under way to turn America's growing mountains of waste into benefits rather than pollutants. But on the other hand, more and more pockets of resistance are popping up among people who don't want wastes used around them no matter how helpful or ecologically safe. The static generated by these opposing forces may prove more troublesome to pollution-control efforts than any technological or economic hurdles, some observers fear.

There are few waste problems as awesome as disposing of the millions of tons of sewage sludge that U.S. cities produce annually. Sludge is the black, paint-thick stuff that's left over after raw sewage has been decomposed and the purified water siphoned off. Pittsburgh and Indianapolis burn it, hoping nobody complains about air pollution. Milwaukee heats it, dries it and sells it as fertilizer for gardens. New York and other coastal cities dump it in the oceans.

The Oldest of All

Chicago has tried some of these methods as well as digging holes and filling them up with its sludge. Now it is trying the oldest waste-disposal method of all—spreading it out on the land. The concept didn't go over in Grundy county, but now the sanitary district is loading 60% of its daily production of 1,000 tons of sludge into barges and sending it down the Illinois River to Fulton County, 170 miles southwest of the city.

The sanitary district owns 7,000 acres there that have been ravaged by strip mining. It has been fertilizing 800 of those acres with sludge since August 1971 in a project called the Prairie Plan. This year's harvest yielded 60 bushels of corn on eight-foot stalks per sludge-fertilized acre, compared with 13 bushels on spindly three-foot plants on nearby unfertilized land.

"Our goal is to put the solid wastes of 10 million people (5.5 million residents plus industrial wastes equivalent to 4.5 million more) back on the land," says Bart Lynam, the sanitary district's operating chief. That would require only 30,000 tillable acres, officials say.

To facilitate this, the sanitary district plans eventually to build a pipeline to Fulton County to transport sludge. That would reduce the costs of sludge disposal to less than $35 a ton. Burning it, the cheapest of the other alternatives, costs Chicago from $55 to $70 a ton, which is about what barging currently costs. The sanitary district already has spent $35 million setting up the Prairie Plan and expects to spend $100 million more to build the pipeline and acquire more land.

Sprayed Farmlands

The Prairie Plan isn't revolutionary, by any means. Small "sludge farms" have operated in Europe for many years, and Melbourne, Australia, has irrigated pastureland with raw sewage for 50 years. In a pioneering effort in the U.S., Pennsylvania State University has experimented for the past decade with spraying farmland with treated effluent in liquid form. Similar projects have been conducted successfully elsewhere on small scales.

What is new about Chicago's project is its sheer size—and thus its implications for other cities with sludge-disposal problems and for a nation with more than two million acres of barren, stripped land. The Chicago experiments have demonstrated that with proper controls sludge can be applied on a wide scale without danger of spreading disease-causing bacteria, says T. D. Hinesly, soil ecology professor at the University of Illinois.

Sludge can't be used indiscriminately, though. It is rich in nitrogen and contains trace amounts of heavy metals; if it were applied to already-rich farmland, excess nitrogen would run off as nitrates, polluting water supplies, and the metal elements could build up to toxic levels. For these reasons, the Illinois Environmental Protection Agency recently denied one request to fertilize some farmland with more than 25 tons of sludge annually.

Prof. Hinesly and other experts think sludge is thus best suited for stripped and other barren landscapes. In a recent test, the U.S. Department of Agriculture applied up to 500 tons of sludge an acre—about 20 times the usual amount—on infertile sandy soil for six months and found "no evidence of contamination" of ground water. "This concept is really going to take off," confidently predicts Mr. Lynam of the Chicago sanitary district.

So why did it flop in Grundy County? Eugene Sorenson, a county zoning official who smilingly describes himself as "the fly in the ointment," explains: "The cities feel the land is here and they can use it without paying attention to the people. They tell us they're doing a good thing and we should be grateful."

Democratic Waste

Grundy County people were anything but grateful, Mr. Sorenson says. They didn't like the way the county board was bypassed when the operations were set up. They didn't like the way a passing school bus was sprayed with sludge, or the way the stuff was "sprayed all over the road." Rural, Republican Grundy County didn't like Democratic, big-city waste being "dumped on us."

Besides, the deal literally stank, people complained. Mrs. Robert Trotter, who lives near the farmland that was being sprayed with sludge, says the "awful sewer smell" got so bad, especially in humid weather, that she sometimes had to take her children into the nearby town of Morris for relief. Similar complaints flooded in. Two months after Soil Enrichment Materials Corp. (SEMCO), which has a sludge disposal contract with the sanitary district, began spraying sludge, the county won a court injunction barring further applications.

John Lear, SEMCO vice president (and former science editor of Saturday Review), dismisses Grundy County's reaction as the product of "all these fears, all these local superstitions." He concedes it was something other than superstition that splattered the school bus, but he contends that "we found no evidence of any offensive odor." Sludge has a tarry smell that isn't objectionable, its supporters say.

Some advocates of sludge use say any bad odor is mostly psychological, a theory corroborated by Richard Williams, a former newspaper publisher in Douglas County in Central Illinois, the site of another SEMCO sludge operation. "One of my contributors came in one day sputtering about the 'terrible, horrible stink' of the sludge," he says. "I had to tell her they hadn't brought in a teaspoonful of the stuff yet."

Plowed In, Not Sprayed

The much-feared bad smells never came, Mr. Williams says, and "people here don't talk about the sludge anymore. The only guy still against it sells commercial fertilizer; he thinks sludge will hurt his business." (It won't, SEMCO says, because sludge is low in potash and thus needs to be supplemented with commercial fertilizer. Also, the potential fertilizer market is 240 million acres of cropland, while an estimated one million acres would accommodate all the sludge produced in the U.S., officials say.)

One reason Douglas County doesn't have an odor problem is that SEMCO doesn't spray the sludge on the land but plows it into the ground. Mr. Lear thinks this method could redeem sludge's reputation in Grundy County, but he doubts he will get a chance to try. The door is being slammed in other places, too.

Recently, the Army Corps of Engineers shelved waste disposal plans for northwest Indiana that called in part for spreading sludge on farmland. Public hearings on the plans drew what one observer called "the greatest outcry of public protest in the state in years;" the corps says that "public reaction contributed to our decision." The state of Maine, apparently fearing a rumored invasion of Boston sludge, passed a law prohibiting all imports of solid wastes into the state. An ambitious $39 million project to spray treated sewage, water and all, on 6,000 sandy acres in Muskegon County, Mich., will begin in January now that a lengthy legal battle finally has been settled by the county's three circuit judges.

Meanwhile, other means of putting wastes to use are being considered and are running into resistance as well. A consulting firm recently suggested that Chicago mix sludge with rock and trash and pile it high enough to make a hill for skiing in a nearby county. The "Citizens Against Garbage Mountain" held their first meeting in August.

April 23, 1969

Labor Awards Banquet
1026 Hurt Building
Atlanta, Georgia

Dear Sirs:

The enclosed check for $100.00 is for a table in the name of the Southern Regional Council for the Labor Awards Banquet on May 1.

We look forward to attending this event.

Sincerely,

Emory F. Via
Director
Labor Program

EFV:mm
Enc.

HAROLD BAUMAN, Treas.

OLIVER SINGLETON, Treas.

ORGANIZED LABOR and WORKMEN'S CIRCLE

Awards Banquet

1026 Hurt Building

Atlanta, Ga. 30303 524-5001

You are cordially invited to attend the first annual Labor Awards Banquet, Thursday, May 1, 1969, to be held at the Sheraton-Biltmore Hotel, Atlanta, Georgia.

The guest of honor will be Joseph Jacobs, outstanding Georgia labor leader and attorney. Proceeds from the dinner will go to establish the Joseph Jacobs Labor History Archives at Georgia State College. These archives will begin the first collection of original documents of the labor movement in the South.

The Speaker of the evening will be Paul Hall, President of the Seafarers International Union of North America. Other outstanding national Labor Leaders will also be on the program.

There will be a reception for Brother Jacobs at 7:00 P.M. Dinner will be promptly at 8:00 P.M.

We are sure you will want to join with us in honoring Joseph Jacobs and to be a part of the establishment of the **Southern Labor Archives.**

Since wide participation is certain, you are urged to mail the enclosed reservation form together with your check as soon as possible.

Sincerely and fraternally,

E. L. Abercrombie

E. L. ABERCROMBIE
Chairman

E. L. ABERCROMBIE, Chairman
Laundry Workers Union

R. E. SHADDIX, Co-Chairman
Southeast Building Trades

GID PARHAM, Co-Chairman
Teamsters Union

HAROLD BAUMAN, Co-Chairman
Workmen Circle

JOHN WRIGHT, Co-Chairman
Atlanta Labor Council

ORGANIZED LABOR AND WORKMEN'S CIRCLE AWARDS BANQUET

1026 Hurt Building
Atlanta, Georgia 30303

Please reserve_____place(s) at $10.00 per person at the Labor Awards Banquet Thursday, May 1, Sheraton-Biltmore Hotel, Atlanta, Georgia.
(Table reservations may be requested in blocks of ten.)
Enclosed is my check for $_____

_____
Name

_____
Address

_____
City State & Zip

_____
Organization

Make checks payable to: LABOR AWARDS BANQUET
(Tickets with receipt will be forwarded immediately.)

25

Mr. Oliver Singleton, Treasurer
or
Mr. Harold Bauman, Treasurer
Labor Awards Banquet
AFL-CIO, Region VI
1026 Hurt Building
Atlanta, Georgia 30303

25

University Labor Education

— Zlitherak 525-3576

ale Kehner

Mrs Hope Val Tay 524-1277

No mrs Giles & Moore 525-2793

ULEA

AFL-CIO

AFT-189

ale Wright

Marand

— Zivallich 622-0521

Phone mrs Green 874-3868

mrs Abercrombie (Bob B)

— Singleton (phone)

ale Butler

— CWA

USWA

UPWA

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Labaer

Lakin B & Capper

Kolner

Hiles — Moore

Wright

Abernethy

Herb Green —

Ell Hart

Weeks — CWA

Charlie Mathis

Shadden

Candell

MEMO FROM THE DESK OF:

Emory F. Via

Samples of Labor Ed. materials

LABOR EDUCATION MEETING

☐ I will be able to attend the meeting on Wed., Jan 7, 1970 at 2:00 PM.

☐ I will not make it.

Please Remember to Sign your name

Labor Program

To: Interested Union Leaders.

From: Emory F. Via, Director, Labor Program

Re: Labor Education in Atlanta and Georgia

~~I am asking a group of union leaders to meet together~~

During the past year a number of union leaders have discussed with me and with each other the need for further labor education services in Atlanta and Georgia. One possibility is to work with a university to establish a full-time labor education program.

I have been urged to call a meeting, across various union lines, so that this matter can be discussed informally. I very much hope that you will be able to attend.

2:00PM, ~~Thursday~~ Wednesday, January 7, 1970

~~2:00 P.M.~~

Southern Regional Council — fifth floor
5 Forsyth St., N.W. ATLANTA, GA.

PLEASE RETURN THE ENCLOSED CARD.

INDIANA UNIVERSITY
Division of University Extension
201 Owen Hall
BLOOMINGTON, INDIANA 47401

LABOR EDUCATION AND RESEARCH CENTER

AREA CODE 812—TEL. NO. 337-4078

File

February 23, 1970

Mr. Emery Via, Director
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Emery:

Sorry to be so tardy in corresponding with you about the conference. The enclosed announcement supplies the cast of characters, as well as the plot outline.

The contract terms, as I think I mentioned on the phone, are $150 plus expenses. I assume you may find it difficult making plane connections directly to Bloomington. If this is the case, shoot for Indianapolis and I will have one of our student assistants pick you up and bring you to campus. I will reserve a room for you in the Union Building for Friday night.

Thanks for agreeing to participate in the conference, and thanks also for the prompt compliance with my request for a biographical sketch.

Sincerely,

Dale

Dale G. Brickner, Assistant Director
Labor Education and Research Center

DGB/el

University of Indiana
April 3, 1970

Dr. Emory V. Via

Haines, ~~I would like to~~ thank you very much ~~on~~ for that introduction. ~~The topic tonight, if I were~~ To be very honest with you, tonight's topic has caused me to ~~think through about~~ ponder five or six times, just how it should be approached. The difficulty, as speaker and educator, is how to present to an unknown group a problem of great interest to me but one which because of changing conditions and attitudes raises the question of what should be said about it today. ~~I could give you a sad demonstration, perhaps, of the kind of process the speaker, or the educator, as I like to think of myself as being, goes through in trying to approach an unknown group on a subject in which he has a great deal of interest; but also has some problems as to just what should be said today about this particular set of problems.~~

I have decided ~~on several courses and I have selected one.~~ to follow more than one approach. The first ~~course, I guess,~~ is to state ~~that there are~~ some rather obvious things, ~~and~~ some of the most obvious and the most simply stated still seem to be the most important. ~~things that need to be said.~~ So at the risk of telling you what you already know, I will follow this course. ~~I will have to say things that many of you have heard before.~~

After deciding to follow more than one approach I scribbled a note to myself in the effort to overcome some of the burden I would thereby place on you. The note said, in brief, not too much of a hodge-podge. ~~Secondly, sometime between when Dale Brickner invited me and yesterday, I had scribbled a note that said, don't give too much of a hodge-podge because some of us who teach two hour sessions and then are confronted with a shorter time period have a tendency to try to jam everything into the short time, and man, do you jump all over.~~ Whether the note will have the desired effect remains to be seen.

What I would like for us to do is to begin to ask of ourselves, and then in turn, ~~hopefully,~~ ask of our organizations, whether ~~they be union or official~~ unions or public bodies, further questions about problems of poverty in our country and in our individual states and communities. ~~I, myself, think that~~ It is ~~still~~ possible that we are breaking out of some old ways of thinking about how poverty problems should be ~~dealt with~~ handled. There are few people more important to this process than those who are in various kinds of public employment, but more about that later.

Can we, ~~along with~~ and the rest of the nation, move away from leveling

blame on individuals who are poor, having at this considered them ~~in the past, sometimes~~, as ~~being~~ people lacking in character, people who have some moral fault, so therefore, are poor? Can we think substantially more constructively about what needs to be done in terms of our attitudes, and the attitudes of ~~various~~ the members of our organizations. What needs to be done in terms of ~~what might be called~~ institutional arrangements (or if you would like, "the system," or in some cases, "the establishment," to ~~just~~ use ~~some of the terms that float around~~ commonly popular terms.) that will make our society one in which poverty is not a grinding, ever-present fact of life for a sizeable portion of our citizens? Hopefully, we can begin to ask ~~more and more~~ of ourselves, ~~of~~ our public institutions, ~~of~~ our political leaders, the ~~right~~ kinds of questions that will lead us to reasonable and useful solutions to the problems of the poor.

Sometimes, in teaching adults, I ~~classes~~ have simply started out with a rather broad ~~scale~~ question such as, "what makes the good life?" Now, it is true, I have never been hired to be a philosopher, and get that is the kind of question that ~~I guess~~ Socrates and Plato were said ~~accused~~ to have ~~of throwing around in Athens at an earlier time~~ raised in in ancient Greece. When I have done this, ~~On occasion, I have done that and~~ I find an interesting ~~kind of~~ response ~~in dealing with adult students. That is, that~~ After a period of discussion ~~in private~~, there may be twenty or thirty ~~things~~ suggestions that I had scribbled ~~upon~~ on the blackboard. ~~and~~ When you look at them, there are several things that ~~sort of pop out.~~ stand out. One is that most of the ~~things~~ items that constitute the good life, in their terms, are things which they cannot get with their individual efforts alone. It takes some form of group activity, frequently some form of public or governmental activity. A second thing pops out. On a number of the ~~things~~ items that they would like to have for themselves, it is difficult to ~~get it for them~~ achieve them adequately unless you ~~get it~~ provide them for everyone.

I will give you one ~~suggestion~~ example. If you stop to think about it, you would put ~~yourselves in~~ good health for yourself on that list. But if ~~you keep~~ a part of ~~your~~ the population is sick for whatever reason, it is much more difficult to keep good health for the rest. In the old days we used to separate communities, ~~you know,~~ by where the railroad track was. Poor folks on this side, rich folks on the other, ~~side~~. One way of looking at this problem is quite simple. The railroad tracks may still be there, the poor folks may still be on the other side, ~~but~~ except that these days it may be the Interstate. If there are germs on one side, they, for better or for worse, do not know where the tracks are, do not know where the Interstate is, and they will jump over and all of us are likely to be infected. The same kind of thing could be said about problems relating to education, the economy, crime, and other community problems.

As we go along I would like to use ~~as I go along, these~~ two ideas. One is that there may be good cause for acting as a group, acting as a government, acting publicly to meet some of the ~~kinds of~~ problems that we will be talking about relating to poverty. And the other is a ~~one of the~~ practical reasons for doing so, which is ~~and again, I trust that we will come back to this, in~~ that we cannot achieve in ~~out of~~ life what we would like to have for ourselves and ~~for~~ our own unless we do substantially the same ~~better~~ for all of the population. Perhaps we can return to this.

Let's move from that kind of general identification to remind you of some of the ~~sorts of~~ facts, terms, and ways of looking at poverty which ~~that~~ have evolved over the past few years. These have developed ~~basically trying~~ to get at the problem of who are the poor, ~~to some degree, as to~~ what causes them to be poor, and to describe the ~~also what kinds of~~ situations in which ~~to~~ those who are poor find themselves. The easiest way, I guess, to describe poverty is to simply say there is not enough money in that person's ~~pants~~ pocket,

or in that family, for a minimum adequate standard of living. ~~I think that this~~ It is ~~certainly~~ a good point from which to start. Although I may dwell more on money than some of the other issues, let me hastily add that the money component is by no means the only part. There are such important items as what is the level of education, what is the present and expected status of the person ~~that is~~ caught in poverty, what are his legitimate expectations, and I think that you can even go so far afield as to ask ~~such questions as to~~ what ~~kinds of~~ political ~~bounce~~ clout does such a person have. In other words, we are not talking only about money, but ~~we are talking~~ about status, expectation, and ability to influence decisions that effect the ~~lives~~ life of any citizen.

Let me apply a part of what I am saying. ~~give you just one idea of how this can be applied.~~ If a man is fifty-five years old, and still has a family of four around him, and is only making, say, thirty-six hundred dollars, he is, by any reasonable measure in American society, poor. Further, it will take exceptional ~~He is probably in tough~~ luck ~~in trying to~~ to get his out of ~~being poor.~~ Poverty However, ~~if you are~~ a young fellow, just out of college, ~~maybe married, maybe not, and either~~ married or not because ~~you~~ he wants ~~wanted~~ to start at the bottom, or wants ~~wanted~~ to do something special, ~~you are~~ and is ~~making~~ making thirty-six hundred dollars ~~and your~~ may not be in poverty. His legitimate expectations in life are quite different from the older man's. You ~~could~~ can at least raise the question ~~as to the money amount, even if it were less than $3600, (take it down to $3200) if it really constituted a low level of income, yes, poverty, perhaps not--~~ as to whether it is just low income or really poverty, if you follow that kind of distinction.

~~You ask what is the more or less official figure that says $3600 for a family of four, not rural, or at least not farming.~~ The question is frequently asked if $3600 for a non-farm family of four is an official or approximate money cut off point to describe poverty. If you go to ~~the~~ people who have been studying such problems ~~of poverty~~ to find ~~as to~~ whether $3600 is high enough, you may find that they will go all the way up to ~~$3,000, $3600, or $4,500~~ $4,500, $5,500 or $6,000. It sometimes depends on whether you ~~are~~ ask

a welfare worker, an economist, a political scientist, or some other brand of nut, you see, as to what figure you would pick. But, an interesting thing, we have a fair amount of public reaction about paying too much attention to poverty. I guess you never hear it put in Indiana or Ohio, but in some of the places I go, there are complaints, about maybe we pay too much attention to these kinds of problems. I understand that the sophisticated and advanced Midwest not only does not react this way, but hardly has any problems of poverty at all to worry about, in any case. That may be as close as you are going to get to a joke, so if you want to laugh, laugh now. You can never tell when I will actually come through with a joke or not, somedays I get serious.

Mr. Gallup, in his famous poll, repeated something that he had done sometime before, in January of this year. He took a sample of American opinion as to what they thought was the minimum that a family of four could live on in their community, and they underscored minimum. They weren't asking "what do you live on," "what could you live on," "what is the minimum that someone else could live on?" The figure that came back from the good citizens of this area, including all the states represented here, was $120 per week. That would be a nice poverty standard to set, and I, for one, would be willing to work for it. A quick calculation means that you're going to come out somewhere close to $6,200 a year, give or take a few bucks, depending on whether you get your paid vacation or not. So much for the money part.

We have, in the country, if you are using the $3,600 figure, roughly 30 million people who are in poverty situations. They are either the wage earners, who do not make enough, or they are a member of his family, or they are members of families who have no wage earners. If you look at these people in terms of race you will find that nine million

or so are non-white and twenty million or so are white. Those of us who are white, ~~and~~ because we get certain ~~kinds of~~ odd pictures in our mind~~s~~, sometimes think that all the discussion about poverty is mixed up somehow with the discussion about civil rights and that everybody that is poor, practically, is black. I simply submit to you this national figure which shows that two-thirds of all the poor in this country are white and one-third ~~is~~ are black. Nearly half of these people are located in small cities, towns, and rural areas, but nearly a third of them are in ~~the~~ central city areas. Some other facts of interest--(I am doing this partly so that we have ~~some~~ a common understanding of what the problem is before we get around to raising such questions that I might like to raise, and indeed, such questions that you might like to raise)--42% are under 18 years of age, 17% (don't worry about the specifics) are over 65. ~~What~~ This means ~~to~~ that well over half of the poor are people who have special ~~kinds of~~ problems due to age, and require special ~~kinds of~~ services from our society in order to be fully performing citizens at that age, ~~like~~ such as being a student, or being a retired pensioner--but of all the poor~~s~~, nearly 60% are in these special age categories--normally considered these days as nonwage earning categories.

Another problem ~~that~~ should at least be mentioned in passing, ~~I guess~~. We frequently think that those people who are poor ~~this is part of our thinking, that somehow or other it is their fault, not folks who work~~ are that way because of their own fault. For example they are people who do not or will not work. Again the figures tell us something else. Two-thirds of the heads of poor households work. Their work is spottier than what I would like, what they would like, and, I guess, than what you would like, but at least a third of those working, worked full-time. By full-time, just to give you the definitions, we mean more than 39 hours a week, and 50 to 52 weeks a year. I call that full-time. I trust that all of you who

are union members consider it full-time. Those of you who are management representatives may have been arguing about this recently. I will leave that argument to ~~a~~ local decisions.

There is ~~One~~ other ~~sort of~~ fact problem. A ~~All~~ of this time ~~that~~ I have been talking about 30 million poor persons. I have not yet talked about the group that ~~sometimes~~ gets picked on most, that is the group ~~that is~~ actually on public assistance or welfare, ~~or whatever other term you feel is appropriate~~. Of the 30 million, just about 8.7 million ~~27.7%, or some such figure~~, are ~~is~~ on public assistance. It may be that a racial breakdown would be of interest again, perhaps not. Yes, you would like to know: 3.2 million are non-white, 4.5 million are white. Okay, now of ~~now of this group,~~ the group ~~that is~~ on public assistance, two million are over 65, four million are children, (that's three-fourths of the group already taken care of, right?) one million are the mothers of the children (we have gone well over three-fourths). About seven hundred thousand are blind, 100 thousand are fathers in the situations, who ~~and~~ are either mentally or physically incapacitated. Sixty thousand out of eight million are able bodied men. I haven't worked those percentages, but just put sixty over ~~the top of~~ eight and add all those zeroes, and you begin to get an idea that it is a rather small percentage. ~~Okay,~~ Let's move from the ~~that kind of~~ statistical description, which I hope will give us at least a partially common background to talk about three terms that have been used by ~~those~~ people who are studying poverty.

One term is that there is a ~~such a thing as the~~ "cycle of poverty." I am sure that many of you have heard this ~~that~~. Another is that there is a ~~kind of~~ "culture of poverty." Then a third term, or rather a concept, claims ~~matter has to do with the fact~~ that we really know better than to say that these problems are just the problems of individuals. Indeed, they are problems that are part of

our system, governmental system, economic system, however you want to describe them. In other words, they might be called systems problems.

Each of these is not such a difficult concept, at least the way that I deal with them. The "cycle of poverty" means something like this: you get, somehow, started in poverty and one thing adds to another and you have a hard time ever breaking out. Example: you grew up an oversized family with a low income, education of lesser quality than that of many other people. When you go out work, you have a serious problem if (a). your old man never made it far enough so that he could tell you where to go to find a good job, (b). when you finally you lacked the training and education to get it. You not only have that problem, you have the problem after you have tried long enough, hard enough, you begin to suspect that you are not going to make it. Your own expectations go down. school teacher, adequate educational support back in the home, too many kids, and poor people anyhow.

The chances of your really being encouraged are rather slim. Indeed, the way that teacher reacts may be read by the individual as, "she expects me to fail." In any case, all I am saying is each of these things build on other and add to problem. Suppose low income means poor health, and that is what it

does mean in our society, doesn't it? ~~Percentage wise~~ In terms of percentages, if your income is low, your health care ~~is down.~~ level of low. You can look at any index and you will find out that this is the case. Sure you know some individuals who are poor and very healthy. So do I. I know some sick rich people, but the averages, the percentages ~~we are talking about~~ show that if the income is low, then health is poor. What are the chances of adequate performance on a job if your health is poor. Alright, these things sort of thrown together begin to give you the idea of the cycle of poverty. I think that I already have intimated it, but let me make perfectly clear that this is not something that just applies to the adults ~~you see~~ that are already there, but it begins to entrap the children, the children of the children, and Lord knows, it traps the children of the children of the children. ~~in this same kind of situation.~~

~~Okay~~ Now, a few words about the "culture of poverty." It has become somewhat popular to talk as if people who ~~were~~ are poor develop special ~~kinds of~~ ways of relating to the world and to each other, and that indeed, this gave them a culture that is different somehow from the main stream. We live in ~~the kind of~~ a society where there are a lot of different sub-cultures ~~of one sort or another.~~ Where I live in Atlanta, Georgia, it is different from Indianapolis. There have been some people in Atlanta who have said, "thank goodness," but there have also been some people in Indianapolis who have said, "thank goodness." We all get sort of tied into what we know and what we like. Yes, we ~~do~~ have ~~certain kinds of~~ differences, but what we usually forget is that, overwhelmingly, what we have ~~alike~~ in common is many, many more times important than the ~~kinds of~~ differences, ~~that we have.~~

We sometimes have looked at poor people and have seen what the social scientists call traits. Certain habits, certain ways of behaving,

and sometimes we fail to ask how ~~we~~ they got into that behavior pattern, is that the way they meant to behave, is this really built into a psychological orientation to life in some way? Go back to the health problem to just give you an example. If you are poor, the chances are that your diet is inadequate and your health is bad. If either the health is bad or the diet is bad, you are likely to come up with some other symptoms like low energy, ~~if not actually sick~~. Now if you see a poor person moping about, even though on the job, does this mean that here is someone who has grown up where energetic work is not important, so therefore don't do it, or does it mean that he isn't really able to do it? ~~don't you see~~. Well, I dare say that we have got some of each. I think that if we were to play the percentages again, we would find that ~~the combination of~~ ~~both and~~ not having the ~~kind~~ lack of education or training ~~that~~ fails ~~did build~~ to build in certain attitudes towards work is important. But we ~~even more importantly, because~~ ~~we~~ sometimes just plain forget the physical side of it, ~~is that~~ the lack of diet, the history of disease, ~~etc., also enters~~ that is also ~~into this situation~~ very important. ~~I~~ Let me move quickly ~~from that~~ to talk about some of the problems that are in the system. ~~I will try to make these quick and simple, and still give you some idea of what is involved~~. If you look at our whole society and ask the question, "who gets what and when," you don't always come up with the answer that there is an even ~~kind of~~ distribution of the benefits of the society, do you? You ask who gets the money? ~~we don't~~ And we know that we do not take the total pot of the ~~gnend~~ gross national product, ~~the gross national product~~ and divide it by two hundred million souls, and split it up, ~~do we?~~ ~~So we are used to not making it, even on that score~~. If you stop and ask about other things: who gets the best police protection, who gets the best attention from the fire fighters and fire fighting apparatus, who gets the best education, I think then we usually find that there is

something less than an even, ~~or~~ fair, or equitable distribution of these ~~kinds of~~ services. Are these services important to all people in our society, including those who ~~that~~ are poor? ~~To~~ Take only ~~the one of~~ education. ~~I think~~ We have already seen that it ~~the~~ education is second best, or third best, the chances of breaking out of poverty ~~what they are already in~~ is reduced by that much. What about such things as job security? What kinds of jobs provide security? Well, out in the private employment field, (a), you have ~~got~~ to be in an industry that is going to make it, and (b), it helps a good bit if you have a union. In public employment, since that has been rising in most areas recently and I think that it should continue to rise and I welcome that personally, as a matter of fact. You may have certain forms of job security, but it depends substantially ~~a good bit~~ in both cases on matters ~~things~~ that are beyond the individual's immediate control. The tendency ~~in our society~~ is that the lower ~~down~~ you are on the economic ladder, the less job security you have. Who needs ~~that~~ job security most? Me? I have held a number of different jobs ~~a bad job record~~, but I really don't need ~~that~~ security as much as a man at the low end of the economic scale. There are other ~~kinds of~~ ~~questions~~ issues. Lower level jobs frequently are the ~~Many jobs are at the low end of the~~ ~~first group and~~ wiped out if there is an economic recession or a serious technological change. We sometimes look at people who have been impoverished ~~sat down~~, ~~maybe at~~ in certain local communities, or rural areas ~~maybe out in a rural area for years and we~~ ~~say how come~~ ask why don't they ~~don't~~ move? Part of the answer may relate to how they feel about "place". But you know that if I want another job, ~~and~~ or even if I am forced to get another job, the chances are ~~pretty~~ good that I can figure where to go to get one; and once I have figured it out, those folks will pay me to come and talk to them. You never pay a poor man to come someplace to talk about a job in our society. ~~and if he did have to go some distance and take his family~~ Can you imagine an ordinary laborer, going some distance with his family ~~for instance, one not working in construction work~~, being

offered his expenses to move himself and his family? Yet I don't move unless I can bargain something about some money to get me from where I am to where I want to go. So we have built-in privileges for folks like me and like some of you and we have built-in sort of disadvantages for other kinds of folks. We have mentioned education and training, let's ~~throw up on quick other matter~~ connect briefly on transportation.

~~If you look at~~ In many of our major cities you will find that the transportation routes, whether they be for automobiles or for mass transit ~~or for other forms of public transportation,~~ favor in many ways those who not only need it the least, but used it the least, and ~~yet,~~ thereby serve ~~those~~ inadequately those with the greatest need. ~~it does not adequately serve those who probably pay the brunt of the cost of running the transportation system.~~

~~I think that~~ There are other things that should be said ~~along with~~ about the ~~this business of~~ ~~systematic~~ systemic problems... I ~~guess one more.~~ let me settle for one more. Are there jobs ~~there~~ for people to have? Fortunately, we long ago learned that just because a man wanted to work, it did not necessarily mean that he could work. There either might not be a job for him or, ~~to express it more accurately,~~ no job for which he was considered qualified. If this is really beyond the individual's control, then do we accept that there are some general social responsibilities, ~~or~~ public responsibilities, for ~~it?~~ meeting this situation?

I have spent all this time talking about some facts and figures, and on ~~about~~ three concepts related to ~~about~~ poverty, trying to bring us ~~get us~~ to some common understanding of what is involved. ~~what some of the background.~~ Let me now ask ~~the~~ this question, "why should we be concerned about this issue at all?" I would like to take this ~~essentially in~~ two parts. One is, why should we be concerned in general, ~~just~~ as citizens and members of the society. And the other is, why is it of interest or important to people involved

in public employment, whether as employees or managers. ~~they be involved as employees or as public managers.~~

First ~~of all~~, the general reasons. ~~and~~ You can almost rattle them off. I will give you the first two, which are ~~kind of~~ somewhat moralistic or idealistic. I think they're important so I will put them first. You may not think they are important ~~or~~ and you can throw them out. ~~as far as I am concerned~~. I might like you better if you didn't, but you may. One is that if you see basic human need, ~~that is probably enough to say,~~ we ought to do something about it. Secondly, just as a matter of fairness, how are things handled in the society? How are people treated? If unfairly, why not do something about it? Okay, you can throw those two out of the way. The third one is, ~~and I suggest to you, is~~ that the better off all our people are, the more stable our economy will be, so thereby the better off we are. Poor people immediately spend the money ~~that~~ they get. Contrary to whatever you may think, they usually spend it on what is most necessary to them. ~~and~~ In most cases, I would say that it is for them to ~~they are the ones to~~ say what is necessary. ~~to them rather than me~~. For some of them, maybe a T.V. set is the best thing that could happen to them, maybe not. But for most of them, it goes for housing or for food or for clothes. If they buy those things, those of us who work elsewhere, including public employment, are better off. If you are a public employee, then the answer is almost as simple. If they earn more, they pay more taxes; if they pay more taxes, at least you have something to bargain ~~fight for, or~~ about. If the taxes are not paid, then there is nothing ~~not even anything~~ to squabble over. The fourth reason is that I think by solving the problem ~~taking care~~ of a segment of the population considered poor, that we stand a much better chance of reducing social unrest. People who have been affiliated with the labor movement, like some of you, are

~~kind of~~ in favor of some forms of social unrest. You are usually more in favor of it if it looks ~~like~~ as if it is going to help you out, than if somebody else is doing it. Maybe ~~that~~ it is part ~~of the~~ of human ~~animal~~ nature to respond that way.

I guess all I am saying here is that ~~if~~ where there is a problem, I stand firmly on the proposition that people should complain. If they need to organize for their complaints, so much the better, let's do that. But I also would like to stand on the proposition that we all ought to have sense enough to construct a society that reduces the number of complaints. ~~We won't get rid of all of them, I guess, thank goodness for that too, you know. It would be a dull life if there were no problems. If the teachers and the school superintendent never had any friction, where would we be? It would be a dull world. The superintendents would resign.~~ [If we fail in this we can expect further troubles. It is not dissimilar to paying adequate attention to public services. If we do not understand the problems and provide money we can expect a breakdown. Similarly if we do not work to overcome public employee difficulties we can expect troubles.]

~~You can take a vote on that on your own caucus later.~~ The fact that ~~they~~ public employees are going to give ~~you~~ public managers more problems than ~~you~~ they want ~~in~~ for the next few years is something that I was about to say maybe you deserve. I would say quite honestly and I think this applies to the police, to fire fighters, to all of us...the society deserves. If we don't pay adequate attention to problems that fire fighters have or that police have, well, indeed school superintendents have or teachers have. It is not just those folks that are having trouble. Indeed, when they make serious mistakes--this can happen with any of us. Those folks should not be blamed so much as all of us together should be blamed.

The fifth reason ~~as to~~ why we should be concerned is that there is ~~some~~ a cost involved if we are not concerned. I suggest to you that we never adequately figure the cost of <u>not</u> doing something. We sometimes figure fairly closely the cost ~~of what it would be to do something.~~ of doing a particular thing.

For instance, the figures have ranged up to twenty billion dollars as to what it would cost ~~if you gave~~ to give every ~~person~~ family that was below thirty six hundred dollars, enough to bring them up ~~to that and a little bit more.~~ close to that minimal figure. But we have not turned around ~~really~~ and calculated what the continuing welfare cost, ~~and how long they will go, what~~ the losses in taxes, will be, what the health cost, ~~what~~ the crime cost, and ~~what~~ the cost of other forms of social breakdowns might be if we fail to eliminate poverty. It seems to me that as a practical people, ~~that the American public, above all else, is supposed to be pragmatic. That~~ we ought to sit back and think about how much it will cost us not to do it. I said that I would give ~~some~~ further reasons why we should be concerned ~~about this and~~ about remedying poverty and relate them to public employees and, indeed, I think ~~also to~~ public management.

One reason, and since I am from Atlanta where sanitation workers are out on strike and about ready to go into their twentieth day, is that there is a fair number of public employees in this country, federal, state, southern states, and other states, who are themselves poor. Maybe none of you represent such employees, but they are there. They belong to at least some of the unions represented here. They belong in ~~the~~ occupations covered by some of the managements that are represented here. So ~~that~~ This is ~~kind of the number~~ one self-interest, practical reason: our own people may be directly involved in poverty situations.

A second ~~one~~ is that many of you, ~~indeed most public employees,~~ deal with poor people. We have been going under, ~~when we~~, as a nation, ~~have been undergoing some changing~~ a change in attitude toward those who are poor. I have suggested to you tonight, I hope, that we have not gone far enough ~~and that I think that all of us still~~ that we need to continue to change. ~~our attitudes~~. Also the poor citizen, our clients if you like, our constituents, have begun to change their ideas about themselves. I

think that, at the very least ~~on a minimum~~, this affects teachers, public school superintendents, welfare caseworkers, ~~and~~ welfare department heads, and ~~all~~ the various aspects of the employment services. It certainly, in a ~~very~~ crucial way, affects police, ~~and~~ fire fighters, public health services and let's add sanitation services and others as well. Then as a kind of final reason why public employees and administrators should be interested in the problems, there is a whole new thrust related to employment opportunity. Indeed, some of you already may ~~have already~~ been participating in such programs as a way of providing meaningful employment for those people who are at the lower end of the scale. There efforts have been known as "new careers" ~~to develop what has been called the "new careers" concept, or to use some other terms,~~ or the development of a "sub-professional" ~~role~~ or a "para ~~talent~~-professional" role, or as somebody said recently, a "new professional" role. Just to give one example, teachers who have teacher's aides, ~~for instance,~~ may be engaged in a ~~some~~ process of this sort.

So having gone through some of the facts, having talked about why be concerned, let me give you a ~~kind of~~ final argument ~~which is not meant to discourage you from asking questions when that time comes--and that time~~ will come. I would like briefly to compare the situation that we are in today to the situation that we were in during the 1930's. I want to do this for a rather special reason, and that is to show how we make use of our public power, and how we make use of the resourses of the nation to cure problems. ~~Now most of you are not as old as I am, so let me tell you this.~~

In the 1930's the depression made a serious challenge to our ideas about economic security. We used to have a great philosophy. Indeed, it was such a great philosophy that it reached the heights of being a myth. ~~and~~ It was that anybody ~~that~~ who wanted to make out in our society could make out. Anybody who wanted to work, could work. We found

sometime in the beginning of the fall of 1929 that some rather well-placed, well-educated, well-heeled people were having the same kinds of trouble that some poor, worn-down heeled folks were having. They could not find work and they had been told to save their money, and they had, of then the banks went broke and all the things that we thought led to economic security somehow turned around on us. At least for a while a majority of the nation thought about this problem in a serious way. With some folks, not unlike yourselves, out there screaming in the streets on occasion, and marching up and down and being, in general, rather obnoxious and hateful, But with new ~~a certain form of~~ political leadership, and I might add with some good solid academic ideas, they began to put through certain ~~kinds of~~ reforms that were important for guaranteeing a limited ~~certain kinds of~~ economic security. Let me mention just a few.

We ~~You~~ passed unemployment compensation laws, ~~and~~ a national act which meant that if you had a job, then got thrown out of it ~~the job~~, you could get some payment while you were out, ~~until you could go back~~. We passed a social security act ~~provision~~ which had many things in it, but one was that when you become ~~got up to age~~ 65 you could quit work and get something. We also passed a ~~kind of~~ law that said if a bank has a run on it and it is going to go broke and you have money in there but ~~and~~ you are not going to lose it, ~~all~~. We insured it ~~We are going to insure it~~. We did ~~some~~ other things. We passed a National Labor Relations Act that said if you ~~do certain things like~~ convince 51% of the people that a union is not a bad idea, we will tell the employer that he has to bargain with you; and indeed, he has to bargain with you in what is called "good faith." ~~We have had some trouble with that term. Fortunately, in public employment we have never had that problem, though in any case some difficulties, but nevertheless, there was a law.~~ If you stop and think about it, all of this together ~~this~~ was like a

revolution. It was certainly extensive reform. It came about because it was squeezed and shaken out of our political system. It didn't come easy, didn't come graciously, and it didn't come just because some people on high said we should have it. Think about one other thing: all of those reforms really relate to people who are already ~~sort of~~ rather fully in~~to~~ the system. It is what I guess we would call, ~~now because I am still essentially in favor of most of these schemes,~~ protection for the working middle class. ~~In other words~~ But on the other hand, if you are poor and don't have a job or have the wrong kind of job, you are not even covered by unemployment compensation. Indeed, you might not ~~even be~~ even be covered by workmen's compensation, in case you were injured on ~~the~~ the job.

Although we have broadened social security tremendously ~~for~~ over the years, if you weren't in ~~the right kind of~~ certain occupation, you weren't covered by social security. So that when you got to 65, you were still poor and, obviously, if you weren't rich enough to put money in the bank, the federal deposit insurance is not going to help you one whit. We were willing to do that kind of shaking of the system in the '30's to protect people who are essentially like most of us or like many of our forebears.

What I am suggesting is that as good as those reforms were, we now have new, unmet needs for those who are poor in our society. Those needs affect all of us. We have good self-interest reasons, as well as the moral and idealistic reasons, to ~~try and~~ attempt to change the situation of roughly, one-fifth of our population, which is not economically secure and therefore, cannot be socially secure. If you ask me what difference it would make in its broadest terms, I think it goes something like this: ~~that~~ it depends, really, on what kind of a society you want. If you want to be part of it, and if you want it to be one of

justice, of peace, of security, and of happiness, I think that we have to go in the direction of guaranteeing the benefits of our kind of life to the total population.

I thank you very much.

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Thanks. Jm

November 23, 1970

Dr. Emory F. Via, Director
Resources Development Center
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Dr. Emery:

At long last I am able to submit a transcript of the speech you gave at our spring conference. The elaborate playback equipment required for this job was in short supply, and we had to work our way up a five-month waiting list. Sorry for the delay.

I hope that the publication of the proceedings will now move along very rapidly. We can handle your article in several different ways: (1) you may completely edit your own transcript; (2) you may edit the transcript for errors of fact or wording, and turn the grammatical stuff over to us for professional editing; or (3) if the content looks good, you can simply give us a go-ahead on editing. Please let me know your preference.

Unless you do your own editing, you need not return the transcript. Thanks for your cooperation.

Sincerely,

Dale

Dale G. Brickner, Assistant Director
Labor Education and Research Center

DGB/mf
Encl. 1

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QUAN.	TITLES—DESCRIPTION
	UNDER SEPARATE COVER WE ARE SENDING YOU THE FOLLOWING:
1	Print #103- Face of the South

Film

Producer's Letter

Robert Saudek Associates, Inc., 689 Fifth Avenue, New York 10022, PL 2-4210

January 23, 1969

This important matter is on my mind: There is a teaching film on a Negro hero. Now available, it will open every student's eyes to contributions to American history made by Negro Americans.

It is a carefully-researched, thoroughly appealing film about Frederick Douglass, the great runaway slave who had dared learn to read and write, and who took the extreme personal risk of publicly announcing that he was a fugitive slave, and then of denouncing his Abolitionist keepers for encouraging the secession of the slave states.

> "I believe," he says, "that if the South were to be allowed to secede, we in the North would thus have abandoned every slave on this continent!"

* * *

So great has the demand grown for this particular film -- one in the series Profiles in Courage based on President John F. Kennedy's book -- that it now is No. 1 on our own best sellers list of 26 Profiles.

I commend this filmed biography of Frederick Douglass for ownership by your schools as one of the most powerful, most direct statements yet made on this great Negro in American history.

Sincerely,

Robert Saudek

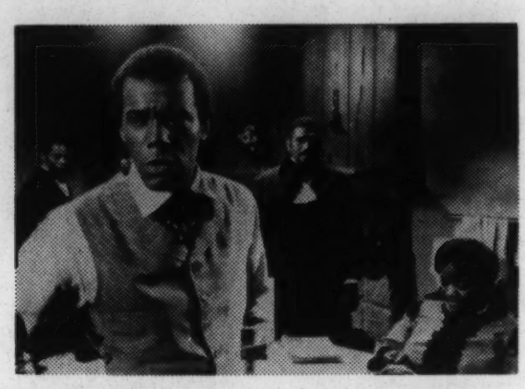
Robert Saudek

I Q Films Inc.

689 Fifth Avenue, New York 10022, PL 2-4210

February 20, 1969

FOR
IMMEDIATE
RELEASE



Frederick Douglass played by Robert Hooks
in the PROFILES IN COURAGE series.

FREDERICK DOUGLASS, NEGRO HERO, BECOMES SCHOOLS' MOST POPULAR FILM

The film on the American Negro hero, Frederick Douglass, has reached the top of the PROFILES IN COURAGE best sellers list, Robert Saudek, Executive Producer of the film series, based on John F. Kennedy's Pulitzer prize winning book, announced today.

"Frederick Douglass" is the story of the runaway slave who understood that learning to read and write was the pathway to freedom and became well versed in Shakespeare and Voltaire. He eventually dared to announce publicly that he was a fugitive slave and gave his true name when his story was challenged. Stating, "The man who cannot speak the truth of himself is not truly free," Douglass published his autobiography, and risked recapture for the sake of the freedom to fight for the rights of Negroes.

"These examples of past courage," John F. Kennedy wrote, "can teach, they can offer hope, they can provide inspiration..."

By reaching the top of the best sellers list, Frederick Douglass has joined the ranks of such traditional schoolroom heroes as Daniel Webster, John Adams and Woodrow Wilson.

The film is distributed by I Q Films Inc. sole distributor for Robert Saudek Associates. Schools desiring further information about the films of the entire PROFILES IN COURAGE series first shown on NBC should write to: I Q Films Inc., 689 Fifth Avenue, New York, N.Y. 10022.

Stuart Brock – AFL-CIO Ed. Dept

Face of South

file film

May 15, Texas

How to Bill for it & who

John E. Kemp
IAM #1923
905 Flanagan Drive
Longview Texas 75601

will ship today 5/6/69 KM

ADL has a print but says there are getting worn →

Face of the South
check with MMJ on this

5/6/69

Face of the South

1956 – 16mm sound film 30 minutes in color. Cost $180.00

Purchase from:
ADL of B'nai B'rith
315 Lexington Ave.
N.Y., N.Y. 10016

this film is listed in the Educational Media Index V. 13 (1964) and in the ADL's latest catalog

June 24, 1969

Mr. Milton Watson
P. O. Box 104
Bremen, Georgia 30110

Dear Mr. Watson:

This is just a note to thank you very much for getting the film, "Hunger in America," to us. We appreciate the special effort which you made. The film was a great success with our training group.

Please let me know if we can ever return the favor.

Sincerely,

Emory F. Via
Director, Labor Program

cc: Mr. Connie Kopelov

Their Inv 3461
pd Check # 6734
7/3/69

ADL received payment later (phone 7/17/69) from AFL-CIO & were to endorse to SRZ
G.T.V.

July 3, 1969

Mr. Stuart Brock
Education Department
AFL-CIO
815 Sixteenth Street, N. W.
Washington, D. C.

Dear Stuart:

I believe it was at your request that we had ADL in Atlanta supply Mr. John E. Kemp in Longview, Texas with a rental print of "The Face of the South."

I have paid ADL their $5.00 fee for that rental since Mr. Kemp was under your film rental plan. I think the simplest thing for you to do is not to attempt to reimburse me on the happy assumption that I will sooner or later get $5.00 worth of services and materials from your department!

Best personal wishes.

Sincerely,

Emory F. Via
Director
Labor Program

EFV/km

File - Electronic Media

Southern Regional Council, Inc.

5 FORSYTH STREET, N. W. ... GEORGIA

2-8764

MEMO

TO: ~~Paul Anthony~~, Jim Wood, ~~Bob Anderson~~,
Doris Reed, Pat Watters

FROM: Emory F. Via

DATE: May 5, 1971

Emy

Would you look over these materials so we can talk about them.

Bill Hudson of The Community Film Workshop Council has talked with Via and Wright and will return for a group visit if desired. Also will send some films for us to preview.

EFV/gms

Please return

THE COMMUNITY FILM WORKSHOP COUNCIL

112 WEST 31st STREET • NEW YORK, N. Y. 10001 • [212] 239–4420

the birth of a tv cameraman

WANTED:

Trained TV News Cameraman. Should know equipment, editing, sound, lights and have good news sense. An Equal Opportunity Employer.

CALL CFWC

Contact Charles Jefferson, Job Placement Advisor of the Community Film Workshop Council, 17 West 60th Street, New York, New York 10023, (212) 247-3192.

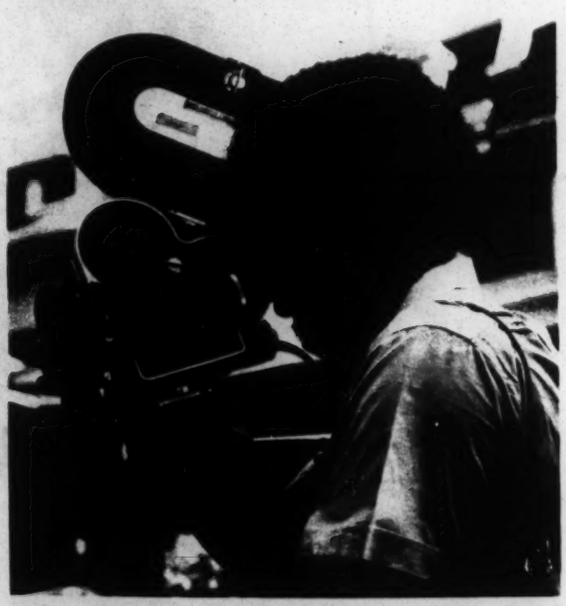
THE COMMUNITY FILM WORKSHOP COUNCIL may be able to send you a recent graduate of its news cameraman training program, a rigorous session that used to last six weeks and now takes nine. The program is an Office of Economic Opportunity sponsored effort to give minority-group men and women the necessary training to qualify them for TV news staffs—and also to give television in this country a source of skilled people sensitive to minority interests and viewpoints.

The fifteen trainees of each session spend the entire period living and working as TV news cameramen—meeting deadlines, doing on-the-spot filming along with professionals from local and network crews, editing, narrating and then criticizing their results. This is done under the guidance

George Williams, one of the first CFWC trainees, is now with WSOC, Charlotte.

CFWC graduate Dave Adams, left, is now Assistant Director of a workshop in Whitesburg, Kentucky. William Reed, a trainee, watches while Sandra Holmes, right, instructs film editing techniques.

Ernest Dunkley, now at WCKT, Miami, shoots background for fashion report.



Another graduate from the first CFWC program: James McIver, now with ABC.

PAGINATION INCORRECT

of trained news pros such as NBC's Sandra Holmes, ABC's John Fletcher, Franke Tonello from Howard Lester Productions, New York freelancer Bruce Harding, Dick Wood and Bob Rubin, director of the workshop.

Training begins with silent 16-mm filming (Bolexes) and moves to sound (using Auricon equipment). The trainees live in the YMCA near their studio, handy for late-hour shooting, evening evaluation sessions, etc. Each trainee is paid $75 a week for the long hours and attends special screenings *(Medium Cool* and *Midnight Cowboy,* for example) as well as covering news events whenever they happen—parades, Moratorium Day, fashion shows.

A typical week (see page 36, Five Days' Log) will concentrate on particular equipment, while maintaining the news-filming routine. To work on the Auricon sound recording camera and portable quartz lighting equipment, for example, the class divided into four groups, four men on each: one on camera, one sound, one for lighting and correspondence duties, and one silent cameraman for cutaways. First day they familiarized themselves with the equipment; the second day was on-camera interviews indoors; the rest of the week was spent covering assignments taken from the UPI daily log. The correspondent for each team had the ultimate responsibility for that assignment. Duties were switched among the team each day.

So far the Workshop has graduated 26 trainees, placing 24 in TV stations around the nation. There are the usual problems of adjustment and occasional personnel conflicts to be faced by the trainees—but most have worked out well in their new situations.

Beginning this month the Workshop will train 45 more TV news cameramen—recruited from the young minority-group people with low incomes throughout the country, trained in New York or Chicago, and ready to step into skilled, responsible positions wherever they're needed.

Continued on page 36

CFWC—What is it?

The Community Film Workshop was formed in 1968 by the American Film Institute with a seed grant of $50,000, to help local film organizations recruit minority-group members. Within a year the Workshop had established itself as an active, independent body, setting up small film groups in many cities and engaging in such studies as one funded by the Ford Foundation, "to determine projected goals and trends of employment in the motion picture and TV industry and to correct any imbalance in the hiring of minorities in these industries."

The current training program began with a grant from the Office of Economic Opportunity awarded June 15, 1969. The funding supported two programs: One was the establishment of ten community film workshops throughout the country; the other was the training in two six-week cycles of a total of 30 poverty-level, non-white candidates to become news cameramen. Some of the recent trainees from the CFWC Workshop got their initial film experience at local community workshops established under the OEO grant.

Where else have the trainees come from? According to job placement advisor Charles Jefferson, it was hard to find them at first. OEO guidelines required that trainees have had annual incomes of less than $1600 net. CFWC standards required technical proficiency in photography and a willingness to relocate to any area of the country that they may be placed. Ads in trade press and word of mouth rounded up only nine young men eligible for the first training cycle. Now that the program has become better known, applications have increased. There were more than 80 trying for the 15 vacancies in the January 1971 program.

But placing even those nine was difficult—few TV station operators felt the six-week program could qualify a person for TV news work. While the trainees did perform well, their employers reported on weaknesses in their preparation—and the result has been the program's extension to nine weeks.

The training includes more than just how to operate equipment. Self-discipline and objectivity are stressed, according to Jefferson. "Being able to relate to people is important in the news field," he said, describing the philosophy behind the training program's approach to news reporting. Trainees have to work closely with one another in an atmosphere which emphasizes doing the job. "You can't let your personal hangups interfere," explained Jefferson, pointing out that an objective minority-group newsman would be able to give a different viewpoint to news items, one more attuned to the backgrounds of disadvantaged viewers in the community, members of minority groups whose interests and values are not familiar to white middle-class newsmen.

How have the trainees worked out? Generally quite well, judging from employer letters and follow-up done by CFWC personnel. Most went to small community TV stations—George Williams, for example, started January 1970 as an editor at WSOC-TV, Charlotte, North Carolina. Now he is a news photographer, shoots, edits and does stand-ups.

But there have been some problems. Prejudice from station personnel has affected a few trainees; some stations have abused the trainees—keeping them on for appearance's sake. "I don't want to find one of my people pushing a broom," Jefferson says. He has had to trouble-shoot in situations where stations have relegated CFWC-trained newsmen to covering occasional token "Black" news events. "We don't want our trainees hired because they're from a minority-group," Jefferson tells prospective employers. "We want them hired because they're competent news photographers."

CALL CFWC

Continued from page 21

Five Days' Log

This excerpt from a CFWC Workshop Log last year covers training done near the beginning of the six-week session—working with silent filming techniques. The 1971 programs will last nine weeks, will add work in night shooting and concentrate in speedy editing, more editorial evaluation.

Monday Feb. 2, 1970—*The trainees covered the Black Panther demonstration at the Criminal Court Building in Manhattan and the New York Harbor Tug Boat Strike. They returned in the afternoon and started to edit their stories. We had a screening at 3:30 of the rushes followed by the air show. Most of the edited stories went over the 30-second limit. The trainees are balking at the time limit and are reluctant to throw away good footage, even though it does nothing to enhance the finished story. There was a heated discussion on the necessity of conforming to rules of time, etc.*

Sandy [Holmes] stayed after the air show to help two of the trainees with editing techniques.

Tuesday, Feb. 3, 1970—*Because of inclement weather the trainees stayed in today and worked with their new meters, editing, testing cameras, etc. In the afternoon we screened dailies and edited stories. The results were not extremely encouraging.*

In the late afternoon Shirley MacLaine visited the program and we again screened the air show for that evening. Miss MacLaine engaged in discussion with the trainees and staff drawing on her experience in film and what she feels to be the new trend in the movie industry regarding young film makers. We discussed the national and international implications of news reporting and how the news in other countries differs from the coverage in the United States. She emphasized the necessity for the views and feelings of new young newsmen and urged the trainees to use the skills that they learn in the program to tell the real story of their own people and to help their people get fair representation in the news media.

Wednesday, Feb. 4, 1970—*As an outgrowth of the discussion from the evening before, the trainees were asked to cover a story on Black people in Times Square. A few protested the assignment, saying that it was a punishment for airing their views the night before, but the staff felt that it would be a good exercise in seeing the diverse ways that a single subject in a familiar location can be photographed.*

The dailies were screened and the edited shows followed. The show this evening was exceptionally good and the editing showed a lot of thought on the part of the trainees. Even the discussion seemed to be more relevant than usual and there was less "nit picking" and more concentration on the elements of good news coverage. The staff felt that the trainees had really reached a turning point in their training and would hopefully carry through the energy and high level displayed in tonight's show until the end of the program.

Thursday, Feb. 5, 1970—*Les Dennis, producer of the Eleventh Hour News on NBC, visited the trainees this morning. He viewed the air show from the night before to get an idea of the kind of work the trainees have been doing. He spoke to the trainees mainly on narrations; how to best judge your own time, how to pare down your spot sheet; how narration should add to, not illustrate, the pictures on the screen. (Stay away from the Grizzly Bear.)*

There was editing in the afternoon. Some visitors from OEO came to see the training center. Mel Good and Bob Rodwin from ABC visited in the late afternoon and viewed the air show. After the show, Mr. Rodwin spoke to the trainees. Mr. Good will return next week to speak to them more at length.

Friday, Feb. 6, 1970—*The sound cameras will be delivered today so the trainees will stay at home base to edit and get the equipment ready for return. We screened the dailies from the Panther rally and the Tug strike. The shooting was, for the most part, exceptionally good.*

In the afternoon some of the trainees edited their stories and the others were checked out on the new Auricon sound cameras.

We had the air show and discussion at 5 o'clock and the stories were good. The narrations are still weak and need more work by the trainees.

Reproduced from -

A MACTIER PUBLICATION / JANUARY 1971

BM/E

BROADCAST MANAGEMENT/ENGINEERING

JACOB K. JAVITS
NEW YORK

REGIONAL OFFICES:

ROOM 511
110 EAST 45TH STREET
NEW YORK, NEW YORK 10017

ROOM 414
U.S. COURT HOUSE BUILDING
68 COURT STREET
BUFFALO, NEW YORK 14202

United States Senate

WASHINGTON, D.C. 20510

February 3, 1970

Mr. Cliff Frazier
Executive Director
The Community Film Workshop Council
17 West 60th Street
New York, New York 10023

Dear Mr. Frazier:

Because of my deep concern for increased articulation and participation of the minority viewpoint in the communications industry, I have watched with great interest the programs and activities of the Community Film Workshop Council (CFWC) as they have related to the training and employment of the disadvantaged.

In particular, I want to congratulate you on your Television News Cameraman Training Program, which is obviously filling a need too long ignored. The effectiveness of any job training program,of course, is measured by the degree of employment achieved by its trainees and CFWC should certainly be proud of its record of ninety per cent employment of its first training cycle.

I have also been apprised of CFWC's laudable apprenticeship program, directed at a specific industry deficiency, which supplied talented young men and women to such productions as "Cotton Comes to Harlem," "Angel Levine," and other films. In addition, the support and encouragement given by CFWC to film workshops in disadvantaged communities throughout the country has done much to teach a new and powerful means of communication to groups that have grown distrustful of traditional forms of communication.

For these ongoing programs, and others in the planning stages, I would like to convey my heartiest endorsement and best wishes for CFWC's continued success.

With best wishes,

Sincerely,

Jacob K. Javits, U.S.S.

JKJ:dak

STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

NELSON A. ROCKEFELLER
GOVERNOR

February 20, 1970

Dear Mr. Frazier:

Thank you and Mr. Poitier for your letter of February third inviting me to attend the graduation of 16 TV news camerman from the Community Film Workshop on Friday, February twenty-seventh.

Unfortunately, I will be in Washington, D.C. on that day and therefore, unable to accept your kind invitation. However, I have asked Mr. John Silvera, Deputy Director, Office of Community Services to represent me.

The Community Film Workshop Council must be commended for its successful efforts on behalf of minority group members. Teaching productive skills and the process of job placement, are basic steps in achieving social mobility for minorities.

I am most grateful for your thought of me and truly sorry that I cannot be with you on this most worthwhile occasion.

With best wishes,

Sincerely,

Nelson A. Rockefeller

Mr. Clifford Frazier
Executive Director
Community Film Workshop Council
17 West 60th Street
New York, New York 10023

COMMUNITY FILM WORKSHOP COUNCIL
17 WEST 60 STREET
NEW YORK, N. Y. 10023

The New York Times

SATURDAY, FEBRUARY 28, 1970

16 YOUNG MEN SET FOR CAREERS IN TV

2d Class Is Graduated by O.E.E.-Funded Council

By FRED FERRETTI

Sixteen young men from near-poverty backgrounds were graduated yesterday by the Community Film Workshop Council following their completion of a six-week course in the techniques of television journalism.

The men, all in their 20's, are from New York and other areas in the East, from Appalachia, the Middle West and California. Most are black, one is white and several are Puerto Rican; one is an American Indian, another an Oriental. Most of them have already been placed in jobs with public and commercial television stations in the South and the Middle West.

The sixteen represent the second graduating class of the Community Film Workshop Council here, which grew from a project seeded by the American Film Institute and funded by the Federal Office of Economic Opportunity.

The young men, in the course of their training by a freelance cinematographer, Bruce Harding; two film editors, Sandra Holmes of the National Broadcasting Company and Franke Tonello, and a cameraman, John Fletcher of the American Broadcasting Company, actually shot breaking news stories in New York's streets. After the film was developed, the students cut and edited it and wrote the scripts. They operated lighting and sound equipment as well as cameras.

Help From Industry

According to the executive director of the Community Film Workshop Council, Clifford Frazier, "the industry has been good to us." He said that laboratories, including the DuArt film labs, whose loft space the training program used, developed their film at discount rates; that raw film stock was provided at cut rates; that photographic and recording equipment was rented at half price.

The results came yesterday. The sixteen received diplomas and bronzed 16-millimeter film cans engraved with their names. On hand for the ceremonies were the president of the A.B.C. network, Leonard Goldenson; the actress, Ruby Dee and the director Arthur Penn.

While the young men trained, they were paid $75 a week. Charles Jefferson, the council's placement director, said that the touching aspect of the program came as one of the men, David Adams of Whitesburg, Ky., deep in Appalachia, "came to be accepted by his black brothers." "He had never seen a black face until he came here," Mr. Jefferson added.

Mr. Frazier made a speech, and so did Miss Dee. So did Mr. Harding and Mr. Jefferson. So did Robert Geller of the American Film Institute. Then Gary Brewer was asked to come up to face the 100 invited guests who crowded the working loft on West 55th Street.

Mr. Brewer is a graduate of the council's first training cycle. He works at A.B.C. He was rather shy.

"I just want to say that A.B.C. is one of the better networks," he said. "And as soon as we get a little more of the brothers in there, we'll straighten things out." He got the best hand of the day.

Feb.23,1970:Our39thYear:50¢

Broadcasting.
THE BUSINESSWEEKLY OF TELEVISION AND RADIO

A training ground for disadvantaged

With its first graduates now placed at stations, workshop grooms bigger lot

A year ago, Caverly Stringer was pushing a broom in his home town of Mamaroneck, N.Y., for $30 a week.

Last week, KERA-TV Dallas, on its *Newsroom* show, featured a couple of film clips shot by a 19-year-old TV news cameraman who had joined the staff last Jan. 5. His name: Caverly Stringer.

The road from Mamaroneck to an educational station in Dallas was paved for Mr. Stringer, a boy from an underprivileged black family, by the Community Film Workshop Council in New York. The council is paving similar roads for Puerto Rican, Indian, and other minorities.

The council, funded by the Office of Economic Opportunity, has established seven film workshops in the U.S.—in New York; Washington; Los Angeles; San Francisco; Hartford, Conn.; Tulare county, Calif.; Whitesville, Ky.; and San Juan, P.R. The goal of each is to spot promising members of minority groups for possible careers as TV or film cameramen, soundmen, newswriters or editors.

The council's first New York class was graduated last fall. Caverly Stringer was a member. Seven of his eight classmates were just as successful in winning jobs at TV stations throughout the country. The other chose to become a feature-film technician. Score: 100%. The other graduates who are now at stations are: Luis Vale, WAVE-TV Louisville, Ky.; Joel Fletcher, WTVJ(TV) Miami; James McIver, WMAL-TV Washington; Leon Collins, noncommercial WETA(TV) Washington; Hector Nieves and Bary Brewer, ABC-TV New York; and George Williams, WSOC-TV Charlotte, N.C.

The number of candidates attending the council's New York school depends on the amount of money in the till. OEO's intial grant to the program last June was $400,000—enough to complete the first-cycle class and the second one, comprising 16 candidates, which is to be graduated Friday (Feb. 27).

The CWFC workshop in New York is no picnic. Each candidate is paid $75 a week and attends classes five days a week, eight hours a day for six weeks at the DuArt Labs. Teachers are Bruce Harding, news photographer and cinematographer, who is training director; John Fletcher, ABC news cameraman; Sandra Holmes, on leave as news editor from NBC; and Franke Tonello, a film editor with Howard Lester Productions Inc.

The Community Film Workshop Council grew from the American Film Institute, which Cliff Frazier, CFWC executive director, calls the "father of the organization—but not really paternal." The CWFC, he stresses, operates autonomously.

In July 1968, actor Sidney Poitier and director George Stevens Jr. recognized the need for more feature-film technicians from minority groups. So, with a $50,000 grant from a couple of foundations, the program was formulated.

Then last June the OEO became interested, and the emphasis shifted from feature-film production to TV news filmmaking—where the need for minority-group hiring proved even greater.

"The medium [TV] is the best avenue to establish contact between all people," says Mr. Frazier. "It's meaningful, direct communication."

And, he adds, "If these young men are motivated to commit themselves to learn new skills, our hope is to place them all." As of next Friday he will have 16 to place. The address of the Community Film Workshop Council is 17 West 60th Street, New York.

Some of the big names in television provide advice to trainees at the Community Film Workshop Council. In picture at left Sandy Vanocur (l), NBC News correspondent, talks with Eddie Jackson, a trainee. Appearing at the first graduation ceremonies last fall (picture at right) were Sidney Lumet (center), prominent director, and Ossie Davis (r), actor. With them is Cliff Frazier, executive director of the council.

THE COMMUNITY FILM WORKSHOP COUNCIL
Established By The American Film Institute

17 WEST 60th STREET • NEW YORK, N. Y. 10023 • (212) 247-3192

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José Torres

March 13th, 1970

Dear Station Manager:

On February 27th, the New York Times carried a story on an exciting graduation exercise for 16 highly competent and previously economically disadvantaged T. V. news cameramen.

On February 23rd, Broadcasting magazine featured on page 69 an article which descibed the T. V. News Cameramen Program, its origins and its candidates. Both pieces are included for your reading.

As of Wednesday, March 11th, there were still 10 qualified young men who had not been placed. This distressing number - despite energetic publicity, qualified graduates and close communication with the T. V. industry.

We're sure a previous lack of response resulted from communication gaps and not from any unwillingness to provide T. V. newscasting with the professionalism, the objectivity and balance of reporting it must continue to perpetuate.

Cordially,

Cliff Frazier

Cliff Frazier
Executive Director

Robert Geller

Robert Geller
Project Director

Please return the enclosed postcard or contact:
Charles Jefferson, Cliff Frazier or Robert Geller
Community Film Workshop Council
17 West 60th Street
New York, New York or call: 212-247-3192

THE WHITE HOUSE

WASHINGTON

May 21, 1970

Dear Mr. Frazier:

Thank you for your letter of January 30 and please excuse this belated reply. I regret that my schedule did not permit me to join you on February 27.

Your efforts in training these young people to become active, productive members of our society are obviously paying high returns.

Best wishes for your continued success,

Sincerely,

Herbert G. Klein

Herbert G. Klein
Director of Communications
for the Executive Branch

Mr. Cliff Frazier
Executive Director
The Community Film Workshop Council
17 West 60th Street
New York, New York 10023

Film Library Quarterly

Volume 4 Number 1 Winter 1970-71

A Young Black Film Maker's View

by Bill Hudson

It is 1970 and more and more people are isolating themselves from one another; building walls of religion, skin color, striped ties, hair styles, employment and sex. It is this isolation that will cause man to lose the challenge presented to himself by his very existence: to achieve the delicate balance of individual freedom and social responsibility necessary for the fulfillment of the promise of mankind: to become civilized.

To become civilized, to break through the walls of ignorance and prejudice embedded in fear, man must communicate. Man must communicate to destroy the psychotic need of some humans to think themselves superior to others. Man must communicate to destroy man's lack of feeling for the plight of his fellow man. Man must communicate to destroy the stupid selfishness that allows us to kill other men in the name of God. And finally, and of the utmost importance, man must communicate to destroy the insanity that allows us to "profit" on the misery of others; while thinking that we are getting something for nothing, when in reality, we are paying the highest price possible . . . our existence.

As we approach 1984, no one is more conscious of the impact of communications on the growth of man towards becoming civilized than the film librarian. The Minorities Film Workshop addressed itself very directly to the communications problem in the U.S.A. It provided a fine opportunity for the white film librarian to gain perspective on the minority film maker.

It was distressing to observe that the majority of librarians in attendance were not at all prepared to deal with the film makers. There was entirely too much unjustified praise of the films presented and not enough incisive questioning of the film makers. The response of the audience sounded like an elementary school classroom. I heard a lot of "little Johnnies" and "little Marys" stand up and tell the teacher that they "liked" the films.

I also heard a great deal of talk about films "designed to promote discussion." After listening to the content of the "discussion" of those present, I wonder if they understand that "discussion" does not mean talking "about" a film but an inspection of the ideas, if any, presented in that film. For the Blacks of an audience to say as they did that a film is "bullshit" and the whites to say it isn't "bullshit" is a bullshit discussion; not a discussion of the film. Ironically the most talked about film (and to talk about does mean to talk around) was a film made by a non-Black person about a Black person's attitudes towards whites.

Whether a person can make a definitive film about cultures other than his own, I feel, depends on whether or not that person is a genius or not. Making a film on a culture different from yours is an extremely difficult talk. Even to make a film about the life of your own grandparents is a task that the average film maker is

Mr. Hudson was a panellst at the Minorities Film Workshop. On the program he showed scenes from the dailies of his new feature which he was in the midst of shooting. Mr. Hudson is also the Assistant to the Director of the Community Film Workshop Council in New York City.

not equipped to do. Because before any film maker of quality is a documentarian or feature film director, he is an artist. He may be a commercial communicator or an aesthetic creator. He is still an artist involved in communicating to other human beings. The same basic communicative principles that apply to the other arts apply also to film—particularly to film because film uses all of the other arts.

What determines what an artist communicates? The life he has lived as distilled by his personality. If he has not lived the life of an American Indian, he cannot truly communicate that life style. The only way to communicate a life style exterior to your own is via immersion in that culture. Interviews and research are not enough. How many years of your life are you willing to give to really know a culture not your own? Commentary on cultures foreign to your own requires a unique talent that only a chosen few possess. Most of us mistake sympathy and appreciation for empathy and understanding.

The minds of human beings receive information in a standard manner. Black minds are no different than Chinese minds. The relative weight given information by the human being will change not only according to the cultural background of the receptor but also depends a great deal on the intellectual capability of the person involved. I have seen East Indian films about old men, Japanese films about old men and white American films about old men. True, old men are old men, but I was not able to understand the nuances of the Japanese or East Indian old men, but neither was I able to understand those of the white American old men. And if you are Hungarian neither could you understand the subtleties of the old men, if the old men were Italian. But this is all perfectly correct and as it should be, and, except for a few exceptional minds in the world who have the talent to grasp the guts of many cultures, most of us only get out of life what we put into it.

If you live in a country and study the culture of that country, you will hear very clearly the double "t" of the Japanese "matte" or the double "r" of the Spanish "perro". The hinderance to objective looks at America being that though you as white people live here in the U.S.A. you are not willing to really study your own culture. There exists a self-denigrating fear of the truth (which is not always that bad) which prevents white America from accurately presenting white American history. White American history is fused with the American Indian's history, the Chicano's history, the Black American's history and the Puerto Rican's history (to mention a few). It is because of this fusion that the facts are constantly hidden. The saddest part of this whole business being, that it is not only the exposure of the minorities ties with the white American's history that is feared by the white American, but his own white forefathers (relationships) with other white men, who did whatever they did in making America what it is today. Therefore white Americans feel they are able to "understand" a Truffaut or an Antonioni better than a white American, a John Huston and most certainly a Black American, Bill Hudson.

As a group, white America has denied the realities of life for so long that they now are able to even "wonder" at the young people's outrage at the corruptness of their elders. The Black man in America, on the other hand, has had an overdose of reality. We have known about the machinations of those in power legally and those in power illegally for a long time. Fifteen years ago my teenage buddies died from heroin. I am quite used to watching a brown paper bag being handed to a

uniformed policeman. I am also quite used to entire neighborhoods of thousands of people knowing more about crime in their area than the alleged forces of "law and order".

The problem of prejudice, stemming from fear of your fellow man, will only begin to be solved when those in power realize that to properly gain from as simple a meeting as a Minority Film Workshop they must be ready and able to admit the errors of their forefathers, who were less civilized than themselves, and then face the present situation as an adult and do whatever is necessary to improve it. "Little Johnnies and Marys" are not going to better the situation one iota. Mankind needs adults.

The American Film Institute

THE COMMUNITY FILM WORKSHOP COUNCIL

OF THE

AMERICAN FILM INSTITUTE

In July of 1968 the American Film Institute provided $50,000 to establish an organization which became known as the Community Film Workshop Council. The group functions as a separete entity and organizes its own funding to supplement the seed grant from the American Film Institute. The CFWC concerns itself with film workshops throughout the country which are engaged in the use of motion picture and television as media of self-expression and which represents a potential job training ground for youth in the underprivileged areas of the United States.

PURPOSE

A growing number of film workshop programs have illustrated that filmmaking can be, at once, a constructive activity, a means of artistic expression and a device for releasing resources of individuals who previously had been unable to function effectively. The CFWC works to keep the workshops active and thriving and finds ways in which the productive resources of these young people can be channeled towards the mainstream of society.

PROGRAM

The Community Film Workshop Council

1. Serves as a coordinating organization through which workshops communicate with each other, with government and with industry.
2. Identifies sources of support and assists local workshops in securing such support.
3. Identifies employment opportunities in the film and television industry and provides special training to prepare individuals from workshops for these jobs.
4. Serves as a research instrument and source of information for agencies, both public and private, concerned with the development of human resources in underprivileged areas.

SPECIFIC ACTIVITIES

1. Identifies all existing film workshops, determines the scope of their activities, and forms a national membership.
2. Periodically publishes and circulates a directory and newsletter and maintains a personnel exchange listing.
3. Conducts seminars, forums, screenings and conferences to stimulate inter-activity between groups.
4. Evolves productive guidelines for existing and future workshops.
5. Advises workshops on specific sources of funding and, whenever possible, assists in the writing of applications.
6. Works with industry to identify job opportunities and, simultaneously, discovers and trains individuals from within the workshops who would be suitable candidates for these jobs.
7. Acts as a liaison between the community workshops and film industry groups to obtain professional advice and as assistance.

8. Determines existing sources of exhibition and distribution of workshop films. Catalogues film productions and seeks out new areas for their use.

9. Gives recognition to outstanding groups and individuals using the prestige of the AFI.

STRUCTURE

The Community Film Workshop Council of the American Film Institute was established as a non-profit, non-governmental membership corporation under the laws of the State of New York. It is national in scope and trustees have been selected to represent its national character.

The Community Film Workshop Council (CFWC) has been awarded a $675,000 Office of Economic Opportunity (OEO) grant. This grant will be used by CFWC to develop talent and opportunities for minority and low-income filmmakers in the twin areas of film production and broadcasting.

This grant will enable CFWC to continue and expand the pilot Television Careers Training Program established last year and continue to expand the Workshop Program.

During the previous funding cycle, the Television Careers Training Program successfully trained and placed twenty-five young filmmakers as television news cameramen. During this same period the Workshop Program was expanded to include four new sites.

OEO's aim in awarding this grant was to create a vehicle for minority and low-income men and women to gain entry into the broadcast media.

The Television Careers Training Program will consist of three training cycles, each of nine weeks duration. Two of the training cycles will be conducted here in Manhattan and the third cycle will be held in Chicago. Each training cycle is structured to simulate actual television news operation.

During their training,the trainees will acquire basic interviewing techniques and the mechanical expertise necessary to function as professionals in the media. They will also be

taught to recognize breaking news stories, how to film those stories, learn to edit their film to conform to existing formats and time restrictions, and to write the accompanying narration.

Highly qualified working professionals in the television news field will teach each training cycle.

The Workshop Program has been established to provide community based outlets for the burgeoning filmmaking activity of minority and low-income individuals. It will provide an opportunity for these individuals to acquire the basic skills in filmmaking. These workshops will be located at sites selected around the country to insure the maximum participation of the various ethnic and low income individuals for whom the program was devised.

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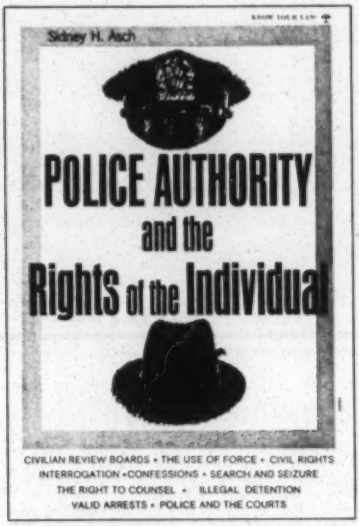

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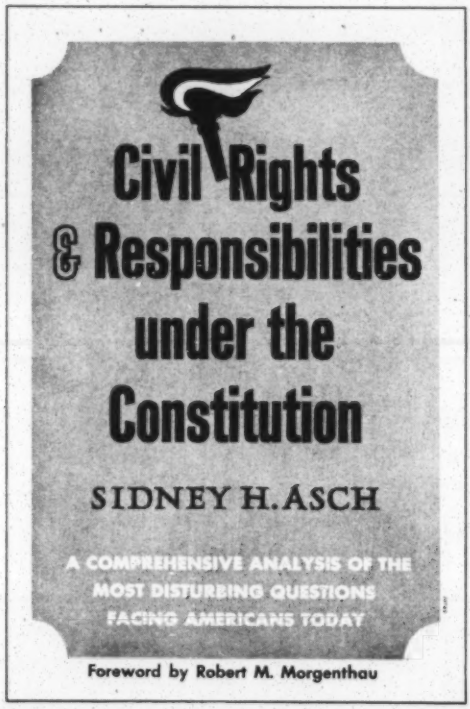

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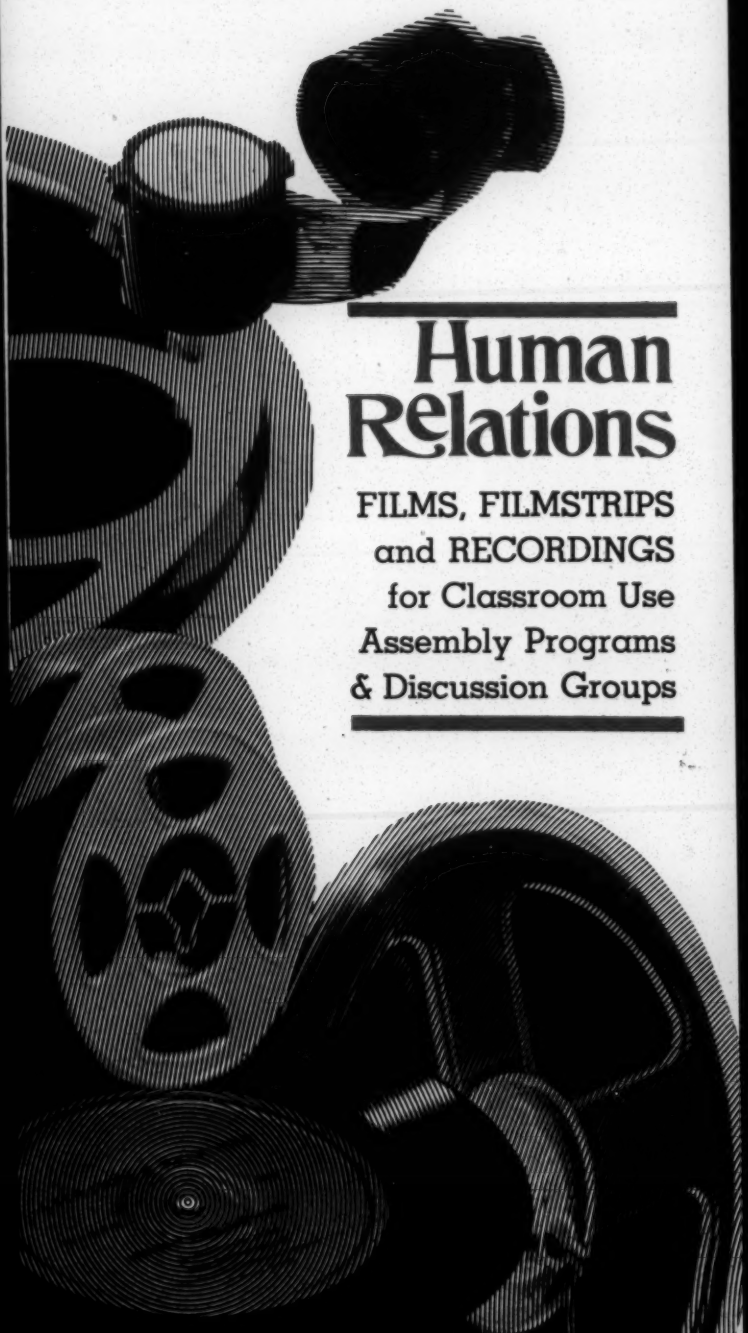

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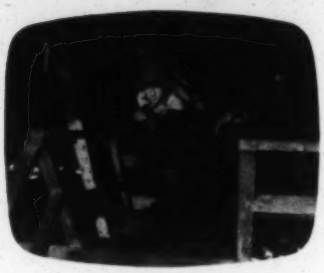

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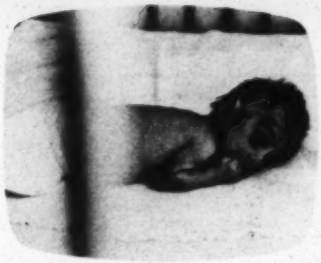

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A dramatic documentary film telling the story of the ethnic ghetto and packinghouse strike in Chicago in 1904 and how the people ...

...fought for their rights

Produced for the
Institute of Labor and Industrial Relations
University of Illinois at Urbana-Champaign

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Films

Union-Made Film Evokes Emotional Response

Drug and Hospital Workers' Local Focuses on Rights

By PETER MILLONES

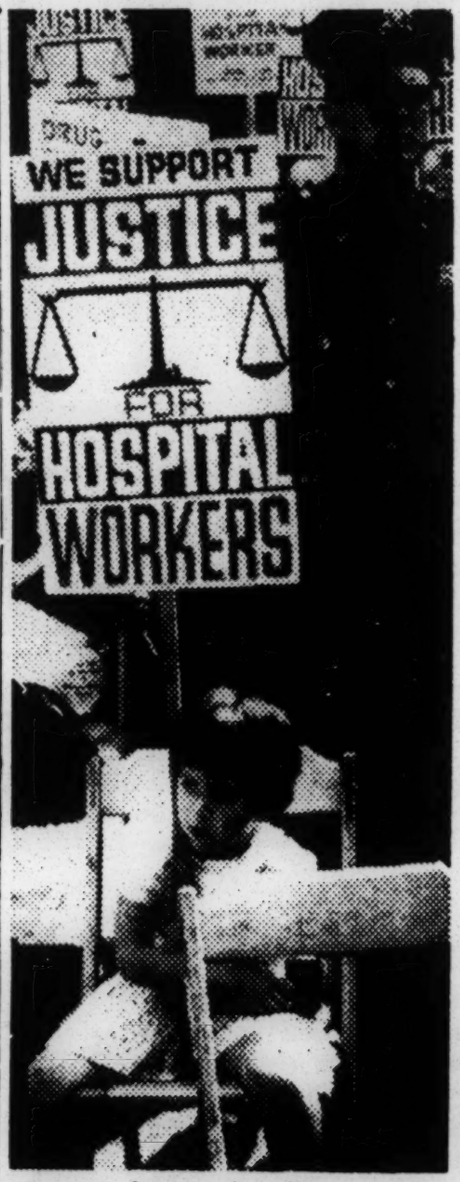
A drug and hospital union here has produced a kind of homemade movie with professional touches that is drawing emotional responses from union and nonunion members across the country.

The film, made by Local 1199 of the Drug and Hospital Employes Union, was originally designed only to show the union's 30,000 members.

But the scope of the film grew during its two years in the making and it is now drawing bursts of applause and tears from audiences because of what it has to say about human dignity and human rights for workers, notably Negroes and Puerto Ricans.

The narration is low-key and simply stated, and the music heightens emotional scenes, but does not dominate them. The cast is made up of workers speaking their own thoughts. The effect is dramatic.

Ossie Davis, the actor, saw the film and wrote to the union to say: "I think it is one of the most important things I have seen on the screen in a long time; not only for Negro people, or labor people, but for everybody."



Scene from the film made by hospital workers' union.

Members and Nonmembers Moved by Presentation

The Center for Labor and Management at the University of Iowa showed the film to its labor education staff and then told the union it had not seen a film which has been able to integrate the minority problems, civil rights, and social problems with the goals of trade unionism as well as this film has."

The police and some hospital management are not depicted in their most favorable light in scenes showing picketing. But the simple descriptions by hospital workers who tell of $30-a-week salaries only a few years ago, and their desire for a better life, are the main themes.

"It's hard just living," Ida Mae Cameron says at the opening of the film. "You have to fight for hot water and steam in the winter. You have to push to get on the bus, push when you go shopping. But when you're together you're stronger and everything comes a little easier."

An exciting new film about the fight to end poverty and win human dignity

An exciting real-life motion picture describing the efforts of hospital workers to win decent wages and human dignity through their union, Local 1199, Drug and Hospital Employees. A unique contribution to our knowledge of how low-paid minority group workers can participate actively in the fight against poverty and achieve meaningful progress. An inspiring and informative social documentary film for educational, community, religious and labor groups.

Here's what they say about LIKE A BEAUTIFUL CHILD

NEW YORK POST, THURSDAY, SEPTEMBER 14, 1967

Two Worlds

JAMES A. WECHSLER

It was a long and curiously disturbing day. It began with attendance at a private showing of a remarkable 26-minute film called "Like a Beautiful Child," a muted, poignant dramatization of the success story of Local 1199 of the Drug and Hospital Employes Union; The chronicle of Local 1199 is a saga too rare in modern labor annals. It is the story of how some of the most oppressed human beings in our city achieved a measure of dignity and self-respect by joining together under leaders faithful to the best traditions of the labor movement. Nearly 70 per cent of the union's present membership of 30,000 is Negro and Puerto Rican. What began as primarily a union of white-collar pharmacists was long ago transformed into a broad, effective alliance.

It worked. No doubt there have been moments of tension and uneasiness. Yet the film leaves a sense of unselfconscious warmth among the diverse groups that
nothing synthetic about the cry
unison by the amateur actors in
ambiguous about the results that
the testimonial of the hospital wo
a 44-hour, six day week and now
five days.

* *

The film was originally concei
hospital workers, but—especially si
from The Times last month—the
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for permission to show it. Moe Fo
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wryly describes himself as the poo

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The movie has no "stars"; th
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describing "the little things" that
the union altered her existence.
spoken; the picket line battle scen

Yet in the end there is a mo
even cynical witnesses. For those
ment has grown fat and listless,
much could still be done—especi
if Local 1199's spirit became infec

"This remarkably impressive and exciting film dramatizes what I have always admired about Local 1199—its dedication and devotion to the cause of eliminating poverty wages and winning union and human rights for Negro and other minority group hospital workers, and building one of America's truly great unions."

Dr. Martin Luther King, Jr.

"LIKE A BEAUTIFUL CHILD is a powerfully
minority group workers striving to achieve
respect through their union. This is a fine e
in America."

"LIKE A BEAUTIFUL CHILD is an extraordinary film about an extraordinary union. It has tremendous meaning for all of us right now because it not only shows the way it is but it also shows people taking hold and moving towards the way it ought to be."

Senator Robert F. Kennedy

"An important breakthrough in the field of
making. It looks beyond the organizational st
a single union to make pointed, significant
about the economic status of Negroes a
Ricans in our society today."

Arthur Knight,
The Saturday R

comprise the union. There is
of "brotherhood" chanted in
action. Nor is there anything
have been wrought—such as
rker who once earned $30 for
receives $82.50 for 40 hours of

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ved for private presentation to
nce it received a friendly notice
union has been swamped with
s, civil and educational groups
ner, the local's executive secre-
listed as "executive producer,"
man's Twentieth Century-Fox.

*

ere is only the quiet, unpreten-
workers as Ida Mae Cameron
make life more tolerable, since
There are few historic words
s are brief and unlabored.
ving impact that should shake
who feel that the labor move-
there is the reminder of how
lly among service employes—
ious.

moving documentary of low paid
economic justice, dignity and self-
xample of how to eliminate poverty

Cesar E. Chavez, President
United Farm Workers, AFL-CIO

labor film
ruggles of
statements
nd Puerto

film critic
Review

"This film can make an important contribution to a better society and a better America."

General James M. Gavin

"A quietly moving and lucidly truthful portrait of a trade union moving beyond ethnic differences and uniting diverse peoples in a common endeavor."

Arthur Schlesinger, Jr.

"This film demonstrates what people of all races and nationalities can accomplish by working together for a common goal."

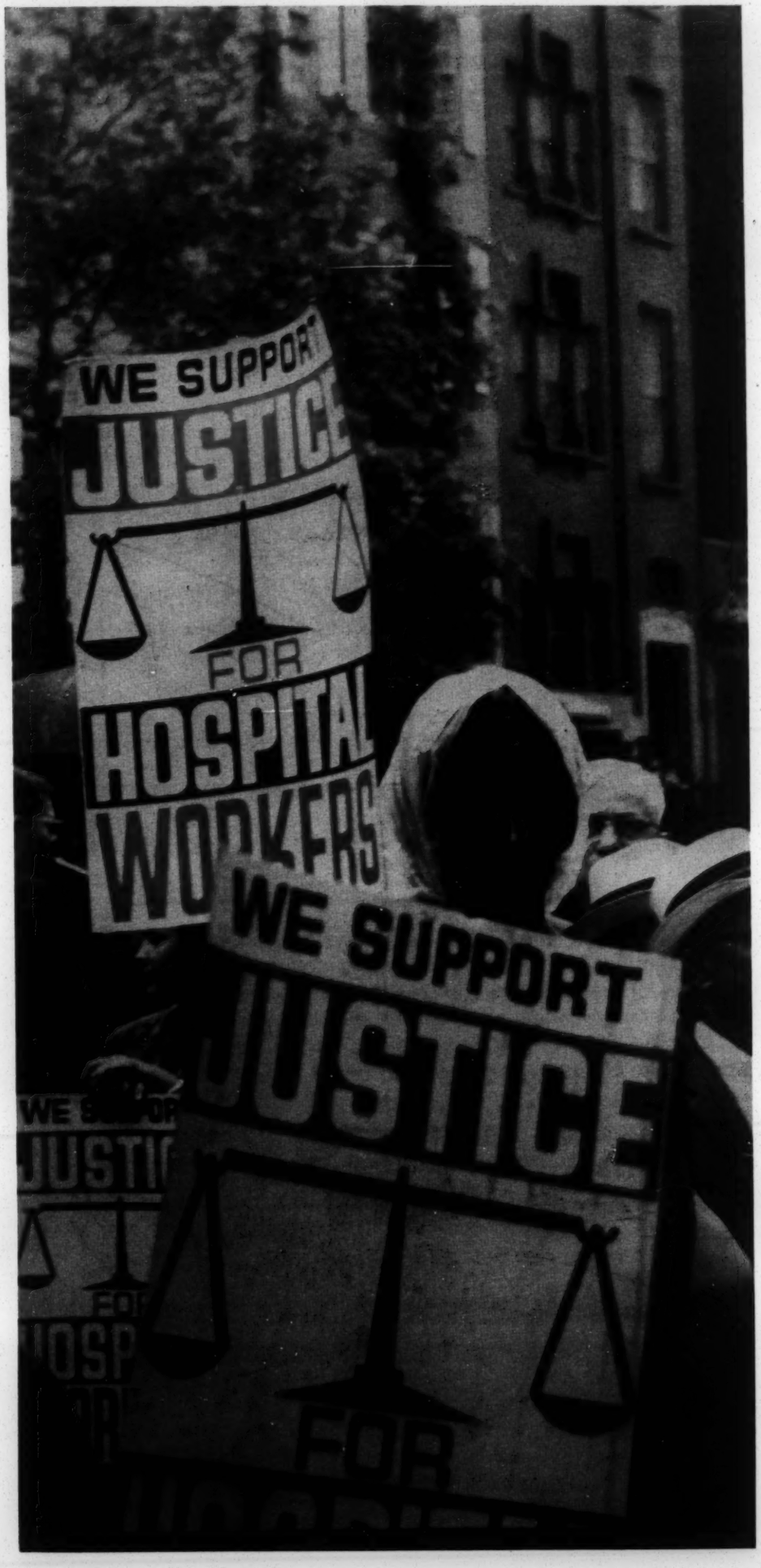
Harry Van Arsdale, president
New York City Central Labor Council, AFL-CIO

"It is as pertinent as the latest news bulletin because it describes in the most human and moving terms how some of the least powerful in America have succeeded in winning economic power and a better life by working and fighting together. LIKE A BEAUTIFUL CHILD is a film of beauty."

Nathan Wright, Jr., executive director
Department of Urban Work, Episcopal Diocese of Newark; author, Black Power and Urban Unrest

"LIKE A BEAUTIFUL CHILD is a compelling and absorbing film which should be seen by all Americans interested in active participation in the fight to eliminate poverty and improve conditions in our cities. Once again, Local 1199 has demonstrated its capacity to blaze a trail for all of labor to emulate."

John V. Lindsay, Mayor
New York City



USES

For school and college: classes in social studies, problems of democracy, civil rights, economics, sociology, urban affairs, labor relations, labor history, public health, racial and minority group problems.

For community and religious groups: community action projects, anti-poverty projects, other organizations concerned with civil and economic rights and social justice.

For public libraries: to serve community groups with a topical film an American labor at work bettering the lives of workers at the bottom of the economic ladder.

CREDITS

Presented by: Local 1199, Drug & Hospital Employees Union, RWDSU, AFL-CIO

Executive Producer: Moe Foner

Director: John Schultz

Photographer: Don Hunstein

Narrator: John Randolph

With members of Local 1199

FILM DATA

16mm sound
black & white
27 minutes

Sale: for trade unions $85

Order From

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709 Eighth Avenue
New York, N.Y. 10036
212-582-1890

■ Selected for exhibition Venice Film Festival 1967

Film Discussion Guides

Course Work

THE INHERITANCE

Produced by Amalgamated Clothing Workers of America. 55 min. 1964.
Rental $7.50.

Summary:

This film is not basically the story of the ACWA, but rather the story of the fight for economic and social justice in America and the role that immigrants played in that long, hard battle. With a sweeping look at the 20th century, beginning in 1901, the film traces the long struggle to build unions, the mass demonstrations, picketing, sit-ins. The film ends with scenes from the March on Washington, a new chapter in man's recurrent struggle for liberty and justice.

Introduction: (Suggested remarks before showing film)

In the first decade of the 20th century more than 8½ million people came to America in search of a new life. They came with their families and their dreams of a better life, and the illusion that America was the promised land with abundance for all. Before long, they found that Golden America was half dream and half nightmare. While the rich lived in luxury, immigrant families were crowded into ghettos sometimes as many as 17 in 4 rooms with the children and mothers working all day in the home while the father earned starvation wages as a factory hand. Sometimes the children went to work in the mills or the mines for long hours working under deplorable conditions.

How these workers fought to free themselves from the ghetto, the sweatshop and the misery and degradation of fear, hunger and poverty is the story told in the film we are going to see. This is the story of how a great union was born out of suffering and oppression, strikes, blacklists, violence and sometimes death. But this is not just the story of one union, it is the history of all workers during this period and their long fight for economic justice, dignity and security.

After we see "The Inheritance" we are going to discuss how this never-ending fight for freedom is going on today.

Discussion Questions:

1. Millions of immigrants came to America and despite the fact that many spoke different languages and had vastly different backgrounds, they were welded together by their common misery and exploitation. What contribution do you think these people made to the American labor movement?

   - Organized the first unions before there was a union movement to support strikes and create strike funds.

   - They defied the blacklist, the labor spies, jail and beatings to win the right to organize, the right to collective bargaining.

   - When workers know the history of the heroic workers who built this union, they cannot be misled by the anti-Semetic propaganda which employers often use today in organizing campaigns.

   - NOTE: The following facts are provided if you want to develop a larger discussion around immigration.

     - At the turn of the century the nation was expanding and the need for additional workers was desperate. Immigration was encouraged. Nearly 9 million people came to America from Europe between 1901 and 1910.

     - Immigrants admitted during this period included: 530,105 Scandanavians, 873,660 Poles, 698,061 Germans, 1,661,948 Italians, 332,446 Slovaks, 371,779 Irish, 976,263 Jews, 387,005 English, 309,727 Croation and Slovenians, 210,794 Greeks, and 132,706 Japanese.

2. In trying to organize unions during the early part of this century people risked everything, even their lives. What made them fight so desperately to establish unions at all costs?

   - They had reached a point of desperation where they had very little to lose in the fight to improve their lives.

3. How could they win when they lacked any resources and had such powerful opponents in industry and government -- opponents who could blacklist workers, get injunctions and call out the police to break up picket lines?

   - The workers united, they supported each other in using the only weapon they had -- the strike. They used it again and again.

   - The workers were not without friends outside the labor movement. The strikes dramatized their miserable conditions and appealed to the conscience of America. People like Jane Addams -- as we see in the film -- went to the employers and appealed to them to look at the conditions their employees worked under.

Discussion Questions continued:

4. The theme of this movie is that the fight for freedom is a never ending struggle.

   The song in the films says:

   "Freedom is a hard-won thing,
   You've got to work for it,
   Fight for it,
   Day and night for it,
   And every generation's got to win it again."

   What does the last line in the song mean to you -- "And every generation's got to win it again."?

   Can you give any examples of the fight for freedom that is being waged today?

   - Organizing in the South and other unorganized areas
   - The fight against the attacks on the union shop and social legislation led by Goldwater Republicans and the radical right wing groups
   - The fight for equal right for all
   - The fight against poverty

5. ACWA has become a model union in its relationship with industry. It is often cited as a union with few strikes in its long period of harmonious industrial relations. With the violent conflicts which we have seen here in its early history, how do you account for this?

   - Out of this kind of struggle came a relationship between equals -- management had to respect a strong union which spoke for its members and a relationship of mutual responsibility and respect evolved.

THE 50 CENTS APRIL 1967

PROGRESSIVE

THE POOR PAY FOR VIETNAM
Erwin Knoll

MISSION TO HANOI
Rabbi Abraham L. Feinberg

THE NEW LIBERAL COALITION
Arthur Schlesinger, Jr.

LABOR AND THE CIA
Sidney Lens

WHY I AM IN PRISON
Peter Irons

THE TWO LYNDONS
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APRIL: THE ROOT, THE SEED, THE EGG
Hal Borland

"It's pine pollen," I told him. The pollen from those pines was dusting the grass and sifting into every house for several hundred yards around. I couldn't say how much pollen those pines were spilling into every breeze, but I know it was beyond human comprehension.

We have, close beside our own house, one towering old Norway spruce, and every spring its male catkins fill the air with pollen. The air shimmers in the sunlight for days. And on the front porch, where the breezes eddy, that pollen settles in drifts and ripples. I sweep it up, at the peak of pollen time, to keep from tracking it into the house, and I often get half a pint of it. How much pollen is there in half a pint, how many grains? That spruce pollen, like the pollen from the white pines, is finer than dust. I can barely make out the shape of the individual grains under a ten-power glass. When I try to guess I have to say there are more pollen grains on my front porch than there were snowflakes on my front lawn all last winter. And every one of those grains of pollen is a fleck of life.

Life. We are dealing with life, in frog eggs, in gnats, in pollen grains. And we are dealing with infinity, as far as we can judge; certainly with numbers beyond our human comprehension. We are dealing with spring, and life renewing itself. How can anyone be unaware? The seed, the egg, the root—awakening and each one with its own degree of sentience, its own response. The earth's axis moves a trace, the sun's rays are a hair less slanted, the air warms by a few degrees, and things happen. We see a migrant robin, watch a maple tree burst bud, follow a hungry bee from one crocus to another. Spring comes, we say. Winter is over and gone, and now life will be easier for another season, with no snow to clog the streets, no ice to choke the harbors. We have won through another winter. We have survived.

And all around us is proof that life survives, teeming life of which we are only a minor manifestation. And the miracles are in the root, the seed, the egg, not in the laboratories or the machines. The enduring truth of the earth, and perhaps of the universe, is implicit in April—in springtime.

LABOR and the CIA

by SIDNEY LENS

When George Meany, the "honest plumber" who presides over the AFL-CIO, recently told reporters that his organization, unlike certain student, educational, and religious groups, had never received financial favors from the Central Intelligence Agency, his comment was received with skepticism. "I suppose it's just my natural ingrained opposition to spy activities," Meany said. "I think the CIA has a job to do, but it can do it without using or subsidizing the labor movement."

The disclaimer was followed by others from Jay Lovestone, director of the AFL-CIO international affairs department, who was once termed by Edwin Lahey of the Knight Newspapers "a real mystery man," and Irving Brown, Lovestone's closest associate and representative to the United Nations from the International Confederation of Free Trade Unions.

Meany's denial of CIA support was received with cynicism by those on the inside in Washington and elsewhere who had been persuaded by considerable evidence over a period of many years that Lovestone worked closely with the CIA. A Government official who has been in the center of international labor affairs for two decades claims that "it's hard to tell who uses who, Lovestone the CIA or vice versa, but there's no doubt of the relationship."

Even labor columnist Victor Riesel, who expresses the warmest feelings for Lovestone and Meany, commented: "Certainly the Central Intelligence Agency and the American labor movement have cooperated. . . . Inside American labor, cooperation with the CIA privately is considered a badge of honor." According to Riesel, labor and the CIA collaborate on "a vast international front—and with labor leaders headquartered in Washington, New York, Chicago, Detroit, San Francisco, and even Denver."

Victor Reuther, who directs the United Automobile Workers international affairs department for his brother, UAW President Walter Reuther, caused a mild sensation in May, 1966, when Harry Bernstein of *The Los Angeles Times* quoted him as saying that the AFL-CIO is heavily "involved" with the CIA. He has since repeated and widened the charge: "All I can say now," he told James A. Wechsler of *The New York Post* recently, "is that there is a lot bigger story in the CIA's financial and other connections with the AFL-CIO. I did my best to try to lift the lid on it. And some day it will all come out."

There is a plaintive tone to these words. The exposure of student-CIA links came when a disenchanted National Student Association (NSA) leader told his story to friends in Washington, who eventually passed it on to *Ramparts* magazine. This tale was relatively easy to trace, because money was passed to the NSA through suspect foundations, some of which were little more than mail drops, and be-

SIDNEY LENS, a Chicago labor official for thirty years, is director emeritus of the United Service Employes Union Local 329. During that period he negotiated more than 150 union contracts with a wide variety of Chicago employers. He has taught courses on industrial relations at the University of Chicago. His books include "The Crisis of American Labor," "The Futile Crusade," and "Radicalism in America."

7-7-69

VOL. CLXXIV NO. 4

Organizing Watts

Labor-Aided Enterprise Applies Union Expertise To Ghetto's Problems

'Community Union' Sponsors Job Training, Credit Union, Builds Vest Pocket Parks

Mending Labor's Poor Image

7-7-69

By MITCHELL GORDON
Staff Reporter of THE WALL STREET JOURNAL

LOS ANGELES—"They're all right," says a black youth at a bus stop along Watts' Central Avenue. "They took us to camp for a couple of weeks during the summer, and no one else did that."

But A. Z. Smith, who runs a barbershop in the heart of Watts, wonders if the whole effort is "just window dressing."

The skepticism may be pardonable, for the effort in question is a venture by Big Labor into the problems of the ghetto. And the ghetto dweller tends to see unions as exclusive bodies that protect the status quo rather than as benefactors.

Reversing that image while attacking the problems of the ghetto—and possibly lining up new sources of membership in the future—is the goal of a Watts "community union" organized by the United Auto Workers and nine other trade unions. The unions believe their skills can be as effective in mobilizing low-income minorities as they have been in bargaining with industry.

Labor's experiment in the Watts ghetto, backed by Federal and foundation money, is called the Watts Labor Community Action Committee. Projects include running a "minibus" service between the ghetto and outlying factories, operating a sizable farm in the middle of town, a live-in job training program for the poor at an old county home for alcoholics and a beginning effort to train a staff for a 470-bed public hospital currently under construction in Watts.

Doing What We Can

The idea of marrying labor's skills with the needs of the black and Mexican-American minorities originally came from two university research economists at the University of California at Los Angeles. The labor leaders are taking particular care to be politic about offering help; local residents run the union, with advice from labor officials. "We've no intention of going in there and telling people what to do, but we do mean to provide what assistance we can, including the loan of potential leaders from the ranks of our own members who live in the area," says Paul Schrade, chief of the UAW's Western Region No. 6.

The Watts Labor Committee, plagued after its opening in July 1965 by poor leadership and community indifference, is gaining momentum now, and two other community unions have been started, in East Los Angeles and Newark, N.J. The going hasn't been easy. "Newark is something of a disappointment in terms of how fast it's getting started," says Jack T. Conway, a foundation official who is advising the labor unions involved. "But we had those troubles in Watts, too."

The unions, at least, are pleased enough to be planning an expansion of the program. "We expect to organize other community unions in a number of other major urban centers in the near future," says Walter Reuther, president of the UAW. Five or six more are planned by the end of 1969, with Oakland, Detroit and San Francisco among the possible locations.

Joint Venture

Allied with the UAW in the effort are the International Brotherhood of Teamsters, the Amalgamated Meat Cutters and Butcher Workmen of North America, the Building Service Employes International Union, the International Longshoremen's and Warehousemen's Union, the Laundry, Dry Cleaning and Dye Workers International Union, the Amalgamated Clothing Workers of America, the International Association of Machinists, the International Union of Electrical, Radio and Machine Workers and the United Rubber Workers of America. An eleventh union, the United Steelworkers of America, recently agreed to help on special projects.

Ted Watkins, the UAW aide who is acting as Watts Labor Committee's chairman, acknowledges that Watts residents are exposed to some "union orientation" from time to time, but he denies that the program is a "public relations gimmick."

Charles Knox, local aide to Rep. Augustus F. Hawkins, a black Democrat whose Congressional district includes Watts, thinks the labor combine should throw its weight behind existing organizations, rather than devising its own projects. "We can't afford a lot of disjointed approaches to ghetto problems," he says. "There just aren't that much resources around."

Mr. Knox also criticizes the Watts Labor Committee for concentrating on "visible programs in order to help labor improve its image in the community, when it's the invisible ones, like developing skills that can lead to something, that count."

Change Is Possible

Mr. Watkins doesn't deny that some of the projects have been chosen for their visibility. In fact, the first phase of the Labor Committee's work concentrated on improving the physical environment of Watts, where about a third of Los Angeles' 450,000 blacks live. Some 22 parcels of private and public land—some as small as 40-by-100 feet—were turned into vest pocket parks, one with a sheltered barbecue and shuffleboard facility for older persons, another with a terraced pit for presenting neighborhood plays. The summer camp program is another "visible" project.

"It's important," says Mr. Watkins, "to show people who have reason to be skeptical of new organizations and community improvement programs that you can in fact make some meaningful changes in their environment. And it's important to do that quickly, so you can buy the time and win the support necessary for the more difficult undertakings."

There was much volunteer help in constructing the parks. They are maintained under two Federal programs. One, the Neigh-

Please Turn to Page 9, Column 1

Organizing Watts: Union Expertise Applied to Problems of the Ghetto

Continued From Page One

berhood Youth Corps, pays $1.40 an hour to 75 youths aged 17 to 21 who aren't in school anymore longer. The other, called the Concentrated Employment Project, pays $2 an hour to 60 adult workers.

The Labor Committee now has some profit-seeking enterprises in the ghetto: Two gas stations, which reportedly return about $50,000 a year in profits while giving youths job experience and training; a ceramics plant and showroom; a poultry raising operation; and a farming operation on land leased from the city Department of Water and Power under high-tension lines. In the latter endeavor, up to 200 youths get $1.40 to $2 an hour while growing vegetables, flowers and trees; a more extensive project is planned to train horticulturists.

A number of other Labor Committee projects are designed to provide vital services. With a $70,000 grant from the U.S. Department of Housing and Urban Development, the union has purchased 10 12-passenger buses for transportation (50 cents a ride) between south Los Angeles and five big factories in outlying sections of the city. There also is a credit union providing loans at low interest.

The Labor Committee's most ambitious project is at Saugus, 30 miles northeast of Los Angeles. There a 588-acre property formerly used as a county facility for treating alcoholics has been leased for use as an educational center. Soon, says Mr. Watkins, it will be providing live-in facilities for about 500 men and women with a full-time staff of 75 and a year-long training program.

The program aims to develop good work habits and then teach specific skills, including secretarial work and food preparation, carpentry, plumbing, electrical work and heavy equipment operation.

Much interest focuses on the Martin Luther King Hospital, now under construction in Watts. When it opens in 1970, it will offer 1,400 nonprofessional jobs, and Mr. Watkins says he hopes to fill half of them with locally trained people. The Labor Committee is planning detailed courses in such subjects as X-ray technology and practical nursing.

The UAW's Mr. Watkins is eager to get going in areas relatively untouched thus far by the Labor Committee—housing, welfare and health. He is negotiating with the California State Highway Department for up to 2,600 houses slated for removal to make way for the projected Century Freeway. If purchased, the houses would be offered at a low price to owners of vacant ghetto lots or dilapidated homes.

The Labor Committee's 1969 budget of $2 million comes mostly from the Department of Labor, other Federal agencies and foundations. The unions are paying about $200,000 this year, plus the salaries of key union presonnel assigned to the community project. A $350,000 grant just received from the Rockefeller Foundation is earmarked for the Saugus training center.

The community union in Newark, in operation since the beginning of 1968, has received about $200,000 in grants. It has concentrated thus far on helping black contractors bid more effectively on construction jobs, providing basic education for adults and developing an employment program with a business group.

The East Los Angeles community union has been functioning since May 1968, with stress on Mexican-American entrepreneurship. It operates a mattress-making factory and now is getting into job training with a $250,000 contract from the Department of Health, Education and Welfare. It also is working to help women get off welfare and into productive jobs.

Pacific Coast Board Trading

SAN FRANCISCO—Pacific Coast Stock Exchange trading for the first six months of 1969 totaled 91.9 million shares, up 33% from 69.2 million shares in the 1968 period, the exchange said. The dollar value of the shares rose 24.2% to $3.05 billion.

Wall St. Jnl 10-28-69

10-28-1969

Labor Letter

A Special News Report on People And Their Jobs in Offices, Fields and Factories

Labor gen

UNION WAR CHESTS grow as preparations mount for tough bargaining next year.

The Rubber Workers Union expects to have a $10 million strike fund when its major contracts expire next April, up from $6.5 million three years earlier. The United Auto Workers, whose auto-industry pacts run out in September 1970, currently has a $95.6 million kitty and hopes to have $123 million at the deadline. A special UAW convention next month is likely to boost strike benefits for workers with families to $40 weekly from $30.

The Machinists Union, embroiled in disputes with three major airlines and the nation's railroads, launches a campaign to rebuild its strike fund, currently below $1 million; in January, rank-and-filers will vote whether to double monthly contributions to $1 and increase weekly benefits by $15 to $40. The Steelworkers Union, which won't negotiate another basic steel pact until 1971, already has $31.5 million to support strikers.

The International Union of Electrical Workers, which struck GE yesterday, won't discuss the size of its strike fund. But it probably holds less than $3 million.

* * *

EXECUTIVE HIRING slows a bit as the economy begins to cool.

Many placement experts detect a recent softening in demand for executives. Third quarter placements by Maichle & Wytmar, Chicago executive recruiters, declined 12% from the previous quarter. "There's a definite slowdown" in executive hiring among West Coast defense and electronics companies, says an official of John G. Edmundson & Associates, Los Angeles consultants. Boston's Double-M executive placement service finds companies stiffening requirements, taking more time to make a hiring decision.

Still, demand remains generally strong, especially for marketing, financial and cost-conscious manufacturing executives. Many companies such as United Aircraft, Kraftco and Raytheon report no significant change in their executive hiring pace. Gillette's need for executives expands "simply because of growth." Judy Wald Personnel, a New York agency that places advertising executives, doubled its volume in the past year.

* * *

AFL-CIO ORGANIZERS quietly map plans to broaden their activity.

The nine-member AFL-CIO organizing committee, headed by Seafarers boss Paul Hall, will soon be expanded and special subcommittees established. The new panels will focus on organizing methods and techniques, public-employe unionism and "cooperative" organizing. Cooperative campaigns, jointly undertaken by several unions, will get special emphasis. St. Louis, Wichita, Seattle are current targets for new cooperative campaigns.

AFL-CIO organizing director William Kircher finds "greater interest" among affiliates in organizing than ever before. One sign: During the recent AFL-CIO convention, over 200 labor officials, including 47 union presidents, attended an early Sunday morning meeting on organizing. Yet organizers worry that anticipated Republican reshaping of the NLRB and increasing use of "labor relations consultants" by employers to fight off unions will make their job more difficult.

The federation's plans appear to be at least partially in response to the rival Alliance for Labor Action.

* * *

LETTER CARRIERS plan a massive newspaper ad campaign to persuade Nixon to sign a bill raising postal workers' pay 5.4%. The Letter Carriers Union started preparing to purchase space in 300 newspapers after the President threatened to veto the bill because of its inflationary impact.

* * *

RETAIL TIRE DEALERS say they currently need at least 21,000 new employes and may require another 21,000 in the year ahead. About 25% of the demand is for white-collar workers in management and sales, according to the National Tire Dealers and Retreaders Association. The trade group launches a $100,000 recruitment program.

* * *

LADY COPS in Pittsburgh who serve as school-crossing guards are promised some unusual fringe benefits. The Service Employes Union, seeking to organize the city's 225 uniformed gals, promises to include in bargaining demands the right to wear any style hair-do, mini-skirts in summer and maxi-coats in winter.

* * *

UNION BOOK PLAN: Six unions, including the Communications Workers. Machinists and Technical Engineers, start offering members fiction and nonfiction by mail at big discounts. The test program is run by the AFL-CIO Council for Scientific, Professional and Cultural Employes.

EW - for follow up

NEGRO CONTRACTORS would get help from a new Urban Coalition project.

The poverty-fighting Coalition hopes to set up early next year an institute designed to strengthen minority construction contractors. It would provide technical assistance and working capital through low-interest loans. The institute would also help train minority group workers in construction skills. A major aim: To make minority contractors more competitive in bidding for Federal construction work under "model cities" renewal programs.

The Coalition seeks funds from foundations. It figures it needs about $1.5 million to get the institute, to be headquartered in Washington, operating in five cities the first year. Then more would be added in the next two years. Cities under consideration include Los Angeles, Philadelphia, Chicago, Pittsburgh and San Antonio.

Planners work closely with labor leaders, businessmen and the National Association of Minority Contractors.

* * *

THE CHECKOFF: The Communications Workers boasts about its "elite corps of telephone cowboys"—five members who check telephone lines in rugged southeastern Utah on horseback. . . . The AFL-CIO charges that "tax reform legislation is being cut to ribbons in the Senate" by "an army of special-interest lobbyists." It calls for an outpouring of protest mail.

OURNAL.

Wall St. Jnl 7-15-69

(W)

Labor Letter

A Special News Report on People And Their Jobs in Offices, Fields and Factories

CORPORATE RECRUITERS, many with reduced quotas to fill, score well on campus.

With more graduates than jobs available in some areas, companies report little difficulty in meeting hiring goals. Caterpillar Tractor easily landed 106 June grads, 19 fewer than a year ago. Sundstrand Corp. in Rockford, Ill., sought and found six engineering students after hiring 41 from the class of '68. Ford's college recruiting has gone faster than last year.

Students swarmed recruiters. The number of job interviews at the University of Illinois jumped 53% from the previous school year, while Indiana University's business school interview schedule was 20% heavier. Yet a University of Michigan official detected no "panicking" among job-hunting students. Many college placement specialists attribute the increased interest in corporate jobs to the fact that grad-school enrolment no longer guarantees draft deferment.

A College Placement Council survey shows starting salaries for grads with technical degrees average $819 monthly, up 6.8% from last year. Non-technical pay rose 8.2% to $711.

* * *

POSTAL UNIONS press a subtle attack on laws that bar them from striking.

As members grow restive, the National Association of Letter Carriers, supported by other postal unions, sues to overturn a mandatory oath that prohibits Federal employes from even advocating the right to strike. A Federal labor expert concedes the oath is "vulnerable" because of its vague wording. Letter Carriers President James Rademacher hints the suit is just "the first step" in an eventual challenge to several Federal statutes banning walkouts.

Irked by a recent 4.1% pay rise, less than half that given other Federal employes, postal workers bombard union leaders with demands for bolder action. "If you don't want to strike," one letter carrier writes Rademacher, "we'd better get somebody who does." Alarmed by the decision of 72 New York postal workers to call in sick one recent morning, union officials issue strong warnings to rank-and-filers against striking.

Postal unions tell Congress passage of a 5.4% "emergency" pay boost for their members would ease tensions.

* * *

BIG INSURANCE FIRMS hire more Negro salesmen, hurting black companies.

Prudential Insurance has 600 Negroes on its 19,000-member sales force, up from 400 at the end of 1966. Metropolitan Life's recruiting efforts at Negro colleges are beginning to "really pay off," says a vice president. In the hopes of attracting blacks, Life & Casualty Insurance Co. of Tennessee lends eight executives to predominantly Negro Fisk University to teach management courses part-time.

"Our best talent is siphoned off" by major insurance companies, observes the president of New York's black-owned United Mutual Life Insurance. North Carolina Mutual Life Insurance, a large Durham-based company, says the current stress on "black pride and black identity" is helping it hold agents. The National Insurance Association, a Negro trade group, bars white recruiters from its conventions to prevent raiding.

Desire to reach the rapidly expanding Negro market for insurance is a major factor behind the drive to hire black salesmen.

* * *

FEAR OF INFILTRATION by radical college students causes some employers to balk at hiring youths for the summer, Youthpower Inc. says. The free clearing house for summer jobs, run by Manpower Inc., reports its June placements were 2,538, down sharply from 3,886 a year earlier. More firms ask for "clean-cut, neatly dressed young people," it says.

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TEACHER MERGER: National Education Association President George Fischer predicts merger with the rival American Federation of Teachers within 10 years. The prediction came at the NEA convention, which voted to boost dues in September 1970 to $25 yearly from $15.

* * *

BRICKLAYERS UNION BOSS worries about the growing number of strikes. Thomas Murphy warns members that walkouts spur switching "from masonry to other materials." Rank-and-filers should "take an active interest" in negotiations, he says, but avoid "hurling charges of 'You've sold us down the river' " at local leaders.

* * *

HOSPITAL WORKERS UNION, buoyed by gains won in the long dispute in Charleston, S.C., claims it has signed up a majority of non-professional workers at two Baltimore hospitals. Officials of the New York-based Drug and Hospital Employes Union are currently seeking representation elections.

* * *

CANADIAN STEELWORKERS and dockworkers seek big gains at the bargaining table.

The United Steelworkers Union, which struck International Nickel Co. of Canada last week, is locked in tough negotiations with steel makers in Ontario. A key issue: The Steelworkers' demand for a cost-of-living escalator, which they are seeking for the first time since 1945. The union will be free to strike after a government conciliator, who's working with the parties, issues his report—probably around the end of the month.

In British Columbia, West Coast longshoremen press for a 50% increase in pay and benefits over three years. "Everybody expects the worst" when the current contract expires Aug. 1, says one shipper. Management officials want any new pact to allow them to require men to work Sundays. A strike would tie up the major port of Vancouver, hurting grain, lumber and pulp producers.

Canada has already lost wheat sales to Japan because a dock walkout is threatened, grain sources say.

* * *

THE CHECKOFF: High-living—a union report filed with the Labor Department's Landrum-Griffin section shows that jailed Teamsters president Jimmy Hoffa received $9 in expenses in 1968 . . . Retired Machinists Union boss Roy Siemiller is named vice president for labor relations of the National Alliance of Businessmen, which encourages employers to hire and train the disadvantaged.

3-10-70

THE WALL STF

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What's N

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Business and Finance

UNION PICKETING on private property "is historically a concern of state law," Chief Justice Burger said, suggesting that the Supreme Court has gone too far in curbing the power of the states to halt such picketing. His opinion, expressed in a ruling on an obscure Alabama labor case, indicates a possible High Court shift to more state authority over picketing. In a second case, he urged reconsideration of an important 1959 decision circumscribing states' authority to curb picketing.

(Story on Page 3)

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Private contractors on Federal construction projects must share some of the damages when workers are injured, the Supreme Court ruled. In a 4-3 decision in a case involving a Seckinger Co. employe injured on a Government construction project, the Court held the Government and contractor share the liability. Separately, the High Court left standing an injunction won by the SEC barring the sale of unregistered investment contracts representing interests in oil claims.

(Story on Page 3)

* * *

General Motors said it hopes to begin selling a pollution control system for all pre-1966 cars "within a few months" in California. GM would thus become the first auto maker to market an emission control system for older cars, although Ford Motor is testing a device for its older models. Cost of GM's system is expected to be under $65.

(Story on Page 2)

* * *

American Motors put a suggested retail price of $1,879 on the two-passenger version of its Gremlin subcompact car, which goes on sale April 1. The price is the lowest for any American-made car, but some sources expected the quote to be nearer the basic Volkswagen's East Coast port-of-entry price of $1,839. The four-passenger Gremlin is listed at $1,959.

(Story on Page 2)

* * *

Lockheed Aircraft could be forced into bankruptcy unless special financial help is arranged quickly, Deputy Defense Secretary David Packard told a Congressional hearing. Two main alternatives, he indicated, are granting of special loans or voting of extra funds to help the major defense contractor meet operating expenses. Lockheed has requested $600 million of supplemental funds, mostly for the C5A cargo jet program, which is already the center of a Congressional hassle over Pentagon budgets.

(Story on Page 5)

* * *

Zenith Radio said it will lay off 3,000 workers this year, and 38% will be blacks because of seniority rules. Another 4,000 layoffs could result next year, Zenith indicated, when it opens a plant in Taiwan. In a letter to the Commerce Department, the company criticized the Government for failing to help the domestic electronics industry compete with Japanese imports.

(Story on Back Page)

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Sears-Roebuck reported a 5.5% rise in earnings, to a record $2.87 a share, for the year ended Jan. 31. Net sales climbed 8.1% to nearly $8.9 billion. Fourth quarter profit increased 6.1% and sales 7.4%. Allstate Insurance Cos.' contribution to earnings increased a bit in the year despite an underwriting deficit.

(Story on Back Page)

* * *

Home loan charges were reduced by Bank of America on mortgages backed by the FHA or VA. The bank said it cut the "points" on such 8½% mortgage loans to 4% of the loan value from 6%. Other California institutions were studying the move, viewed as indicating a possible easing of credit.

(Story on Page 9)

* * *

Sargent & Co. and the Justice Department entered a proposed consent decree enjoining the Walter Kidde unit from allocating sales territories and customers in the sale of master-key systems, used in locks of commercial and institutional buildings. A similar Federal suit against Eaton Yale & Towne remains pending, and two other companies entered consent decrees.

(Story on Back Page)

* * *

Company Notes—

Interco—Elected John K. Riedy, president, succeeding Maurice R. Chambers, who continues as chairman. The diversified apparel concern also said sales and earnings set records in the quarter ended Feb. 28.

* * *

Markets—

Stocks—Volume 9,760,000 shares. Dow Jones industrials 778.31, off 5.81; transportation 176.32, off 1.54; utilities 117.71, off 0.80.

Bonds—Dow Jones 40 bonds 69.70, up 0.03.

Commodities — Dow Jones futures index 134.01, off 0.71; spot index 141.95, off 0.19.

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Labor Paper

Drop charges against students, Gainesville investigators urge

GAINESVILLE, Fla.

An eight-person independent citizens' committee came here May 26 for a day of investigation into the racial crisis that has rocked the University of Florida campus in recent months. After hearing testimony from 27 witnesses, the committee urged the university administration to secure dismissal of charges against eight students arrested during a peaceful demonstration April 15 "as a first step" toward achieving "mutual understanding and respect" on campus.

The committee, chaired by Southern Regional Council Executive Director Paul Anthony, arrived at the invitation of AFT Local 1880 and the Student Government Association. The AFT here has taken a leadership role in trying to resolve the racial conflicts which have simmered since 1969, when black students first presented a list of six demands to help recruit more minority-group students and faculty. (Of 2,500 faculty members, only nine are black, and of last year's entering freshman body of 2,800, only 110 were black.)

On April 15, a demonstration of several hundred students and faculty was held in support of the demands. Police broke up the peaceful rally with gas and clubs in what Local 1880 President Norman Markel termed a "police riot."

Following the arrests, the AFT urged that outside mediators be brought in to help resolve the deepening crisis. University President Stephen O'Connell refused the request, and when the citizens' committee sought to use the student union for its hearings May 26, he banned it from campus. The committee met and took testimony in the off-campus Catholic Students Center.

Among the witnesses at the hearing was Sam Taylor, vice-president of the student body. Taylor testified that the first blacks were not admitted to the university until 1962 and that the university housing office continues to maintain separate lists of housing units where blacks are "acceptable." Taylor also read the students' six demands which seek greater minority-group power in college affairs.

One of these demands was met, temporarily, in 1969, Taylor said, when the university hired a coordinator of minority affairs, just before a scheduled HEW audit into its employment practices. But the coordinator left after 15 months.

The ex-coordinator, Roy Mitchell, also testified and said that during his employment he was neither introduced to nor consulted by President O'Connell. He said he was harassed by the administration and eventually quit. Mitchell also testified that although the university has started a Dept. of African Studies, and has hired Ronald Foreman as its head, it has given him neither budget nor staff.

Len Lewis, AFT director of civil rights, who has been assisting the local during the crisis, attended the hearings as an official union observer.

The committee said it would prepare a detailed report, but in a brief press statement said "the crisis appeared to be even more ominous than we had previously believed it to be."

"The university," it continued, "must find the way to mutual understanding and respect of its members. . . . We believe that the university must become a place where the cultural pluralism of society finds its fullest and freest expression. It must become a university which all students—white, black, brown, or red—feel is theirs, one in which they have a stake."

A "first beginning" toward this goal, the committee said, would be "intervention on the part of the university administration to secure the dismissal of charges against the students arrested April 15." The committee said the students, "in an entirely nonviolent and nondisruptive way, were seeking answers to proposals that had been passed through the university's proper channels 18 months before."

Members of the committee, besides Anthony, were Dr. Robert Brisbane, professor of political science, Morehouse College; David Crossland, southern representative, National Lawyers Committee for Civil Rights; Jean Fairfax, director of legal information and community services for the NAACP legal defense and educational fund; Dr. Paul Gaston, professor of history at the University of Virginia; Al Kehrer, regional director, AFL-CIO civil-rights department; Rev. Powers McCleod, First United Methodist Church, Pensacola, Fla.; and Harry Walker, president, student body, Univ. of South Carolina.

Paul Anthony and Al Kehrer, two members of the AFT-initiated investigating team, conduct hearings at the University of Florida, Gainesville, May 26. One of the 27 witnesses was Clarence Martin (above), former chairman of the Black Students Union.

LEGISLATIVE ROUNDUP:

Union lobby kills Taylor amendment

WASHINGTON, D.C.

"Intense" union pressure, as one member of the state assembly characterized it, forced the Republican leadership in the New York State legislature to kill a bill May 10 that would have restricted public-employee bargaining under the Taylor Act to salaries, vacations, and working-hours only. United Federation of Teachers President Albert Shanker characterized the proposed bill at a press conference as one which would "destroy the negotiating process."

A flood of phone calls to legislators over the Mother's Day weekend, mobilized by unions of policemen, firemen, teachers, and sanitation workers, among others, caused the legislators to drop the bill in its current form for this legislative session.

Across the country, in Olympia, Wash., teacher-union and state labor federation pressure the same weekend stopped the association's "professional-practices" bill and a limitation on what is negotiable under the present state bargaining law from being tacked onto a community-college negotiations act. "We called Lou Stewart, who's education director of the Washington State Labor Council, just before noon on Mother's Day to ask him to get down to the legislature to help stop this for us," reported John Barton, WSFT legislative committee chairman, and Ross Rieder, state Federation president, "and he was already on his way." The WSFT and the state labor body also mobilized a successful telegram drive to get the governor to veto sections of the budget bill putting a two-year moratorium on raises for all state employees, including college teachers, and on increments for college teachers making $15,000 or more a year.

Other recent news from the state legislatures:

- **In Florida, the legislature is loaded with bills against the state universities and college teachers, reports Florida Federation of Teachers legislative chairman Benjamin Franklin. He cited such items as bills barring "rabble-rousing" speakers from college campuses, mandating dismissal of faculty and college employees who engage in "disruptive" activities, and so on.**
- On May 25, the Delaware Federation of Teachers had its own collective-bargaining bill introduced in the House, reported John Shuey, DFT president. It would permit strikes after mediation, with no penalties. Rep. Thomas Little of Fairfax, a former NEA teacher, has introduced what is basically the Conservative Union's plan to set up a statewide voucher system which Shuey said "would completely annihilate the public schools." It is not expected to go far, but its introduction is an item of note.
- Last-minute flurrying in the Oregon legislature, reported Shirley Gold, executive secretary of the Portland Federation of Teachers, brought closer to passage a good revision of the tenure act, making it statewide, and a new amendment to the consultation act broadening the scope of bargaining to include written memoranda of agreement, good-faith bargaining, mediation, fact-finding, and so on.
- Although the legislature in New Jersey adjourned until after November, a couple of legislators will be holding hearings June 15 on the measure to kill the Public Employee Relations Commission. The Federation expects to testify in favor of retaining the commission. Ray Peterson of the NJFT said labor's hopes and efforts are being directed toward the November election, when all of the seats in the assembly are open. Running in the Essex County (Newark) Democratic primary June 8 is Joel Jacobson, UAW lobbyist, who was nearly arrested while on teacher picket lines.
- **In Iowa, the AFT's anti-injunction bill never got out of committee, reported Johann Eschbach, state Federation president. "They've been fighting on the tax bill since the session opened in January," he reported, "and nothing has been done yet." This was the general story in most of the states reported in the American Teacher's survey last month, and rechecked the last week of May.**

In New York and Washington, teacher unions had other successes. In New York, bills to kill the New York City board of examiners and to institute continuous year-long schools were stopped through Federation action. Still pending there are a performance-contracting bill, now amended to limit such contracts to no more than 10 districts each year for the next three years (under the original bill, all 750 state districts could have instituted it immediately if they'd wanted to), and that no performance-contracting-hired person could bump a certified teacher from a job. Even with these changes, though, the Federation still opposes the bill, reported John Fallon of the NYSFT. On May 23, a teacher-licensing bill was introduced which would set up a "professional-practices" commission which would exclude New York City teachers, and thus keep any commission seats in the hands of the state education association. The Federation hopes to defeat this measure, too.

In Washington, the union's proposal that 50 percent of the community-college budget be spent on instructional purposes (Seattle community college now spends only 38 percent, for example, with the rest going to administration, etc.) was taken up on the floor and the Council on Higher Education was directed by the legislature to consider it in its report, due sometime next year. The legislature also extended unemployment compensation to teachers, if so negotiated, and workmen's compensation is now universal. "Labor action got these for us," said Ross Rieder.

PAGINATION INCORRECT

IAM Education Department

Labor Program

1971
Standard Schedule
MACHINISTS LEADERSHIP SCHOOL I (First Year)

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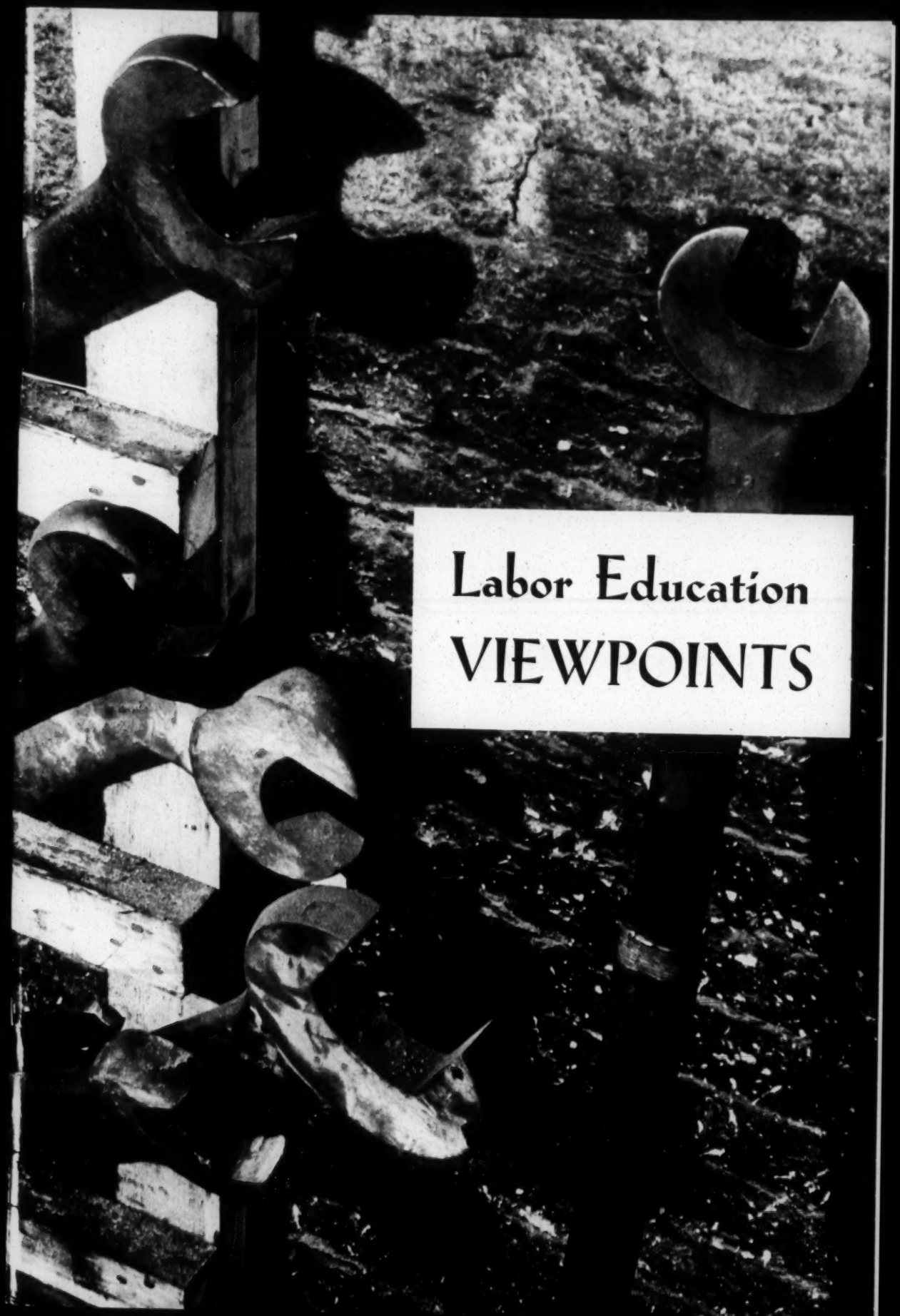
.rrangements

Breakfast 7:15 - 8:15 a.m.

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
8:15		Unionism and the IAM (A) Benjamin Sharman				
9:25		Legislative Issues for Labor (B) Robert Rodden				
9:45		Coffee Break				
10:55		Legislative Issues for Labor (A) Robert Rodden				
11:00		Unionism and the IAM (B) Benjamin Sharman				
12:00		Project Groups - Planning Sessions		Project No. 1 Report	Project No. 2 Report	Project No. 4 Report
		Lunch				Closing Lunch and Final Session
1:15		Collective Bargaining and Union Administration (A) E. Wiggins - W.Clitheroe Improving Communication in the Union (B1) Robert Wilcox				
2:30		Improving Communication in the Union (B2) University of the South				
	Registration	Coffee Break				
2:45		Improving Communication in the Union (A1) Robert Wilcox Improving Communication in the Union (A2) University of the South				
4:00		Collective Bargaining and Union Administration (B) E. Wiggins - W.Clitheroe				
		Afternoon Break	Picnic	Afternoon Break	Afternoon Break	
	Dinner	Dinner		Dinner	Dinner	
6:30 7:00	Opening Session (orientation) film	Project Group Planning		Evening Session Emory Via Dir. Resource Dev. Center	Project No. 3 Report (Labor & Politics) Wm. Holayter	



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Labor Ed.

DEFINING LABOR EDUCATION NEEDS

DEFINING LABOR

In attempting to define Labor Education needs there is a great temptation to simply read off a laundry list of every conceivable educational need known to man and then suggest that the interested parties sort out those most appropriate to their mission and go on from there. I'll try not to do that but if by the time I'm finished it seems as if I have done so, perhaps I will also have catalogued them into some useful framework which will enable all of us to decide what our roles might be in attempting to meet such needs.

Weaknesses of Public Education

At the outset let me suggest to you that the public educational system has failed the ordinary worker shamefully in preparing him for the work that he performs, the security of his family and his life as a responsible citizen.

If it is true, and it is, that many of our high schools are graduating students who are almost functional illiterates, then the students are not alone in their failures.

If it is true, and it is, that employers find many vocational school graduates have learned obsolete skills, are unable to be trained for the present low-level hiring jobs and even less trainable for the highly advanced positions of the future, then not only are many workers misguided.

If it is true, and it is, that the average employee can expect to change jobs six times during his work life and yet finds his present education doesn't equip him for more than a life on the assembly line, then more than the worker is redundant.

If it is true, and it is, that the major problems experienced by newly hired black workers are those caused by their fellow employees, then more than the workers' attitudes have been misformed.

I'm sure that this suggests to you that I am not particularly sanguine about our public education system. In fact, I find myself quite sympathetic to the position of the ghetto parents who are demanding community control of their schools. These parents recognize that a good education has traditionally been the pathway up the social-mobility ladder and out of poverty. And they are justifiably frantic to find that their children can't escape via the ghetto schools. Also, understandably, they are quite cynical about being told to leave control in the hands of the "professionals". Their angry reply is that the professionals have been in control for these many years and their schools have gone from bad to worse; certainly community control can't destroy what is already a disaster area.

Shortcomings of Adult Education

Having "socked it to" the primary-secondary school system let me now turn to the field of adult education. The record there is not too much better if it's improved at all.

It is only in the recent past that adult educators have recognized the need of ordinary working adults for special programs that remedy the great failures of their public school experiences. I suppose nothing is more fashionable in adult education programs nowadays than to have a basic literacy component funded by a federal grant. Also a course of preparations for taking the High School Equivalency test is now regarded as a requisite for a well-rounded catalogue. But the vast bulk of workers who could benefit from such programs are never reached, never enroll and never complete the appropriate courses of study.

Now I know that a large number of people are enrolled in such programs but it is still true that they are a relative handful compared to the backlog of decades of neglect. And this neglect hits directly at the worker's pay check as he finds it difficult to be hired without credentials if he's laid-off from a marginal job, or if he's denied a

---

George V. Boyle directs the Labor Education Program at the University of Missouri. This article was originally presented as a speech at the meeting of the Missouri/AEA in St. Louis in September, 1969.

By George V. Boyle

EDUCATION NEEDS

promotion for which the employer now requires a High School Diploma.

It is an easy answer to say, "Well, we've tried to reach them, but we're not going to lead them by the hand." That may be an easy answer but it's not a good one. The fact still remains that adult education hasn't remedied the initial failures of the public school system. Certainly a primary task of adult education is remedial education.

I mentioned before that the graduates of vocational schools are often trained for obsolete skills and unable to be trained for the available jobs. This is by no means a unique phenomenon. The same can be said of university and college graduates. Part of the campus discontent is engendered by what the students feel is the irrelevancy of their education to the world that awaits them upon graduation. But they, at least, have a credential, a diploma, which qualifies them for alternate opportunities to those they may have initially selected. The vocational school graduate who is skilled in "cabinet making" feels defrauded if "cabinet maker" jobs are scarce and he has to settle for a job in a laundry or as a stock clerk. He feels doubly discontented if the job for which he prepared, and was hired, evaporates with new technology and he is forced to undergo retraining. He asks why he was not trained for a secure job initially. Why was he, in a sense, exploited and then cast aside to be retrained at his own expense in terms of reduced income during the retraining period?

Now you may argue that this is the exception rather than the rule, but a survey was conducted two years ago soliciting the suggestions of employers on how to make vocational, technical and high school education more relevant to industries' needs. And the replies from over 150 employers added line, chapter and verse to the criticism I have just outlined.

Also you may argue that we haven't heard any recent groundswell of discontent and therefore, both workers and employers must be satisfied. But don't be too sure. While we are presently witnessing a proliferation of federal manpower programs—O. J. T., Work Study, Up-Grading, Apprenticeship, Pre-Apprenticeship, etc.,—at the same time, pick up the want-ad section of any newspaper and see the skilled jobs advertised and "gone begging". Also we are in a period of relatively full employment,—what will happen to the jobs of large numbers of presently employed unskilled, semi-skilled and even skilled employees if a recession follows our present inflation? Further, speaking facetiously, "God forbid, suppose peace should break out!"

When that happens, those laid off without a marketable skill may voice remarks about adult educational opportunities which will make mine seem exceedingly mild indeed.

Must Learn More About Living

But the worker's educational needs are not satisfied when he can read the calibrations on a micrometer or thread a needle from the cab of an eighty-foot crane. He wants and needs to know more than how to earn a livelihood. He wants and needs to learn more about living.

It is not by accident that a racist demogague like George Wallace scored heavily during the 1968 election in the working class precincts of Gary, Indiana; Baltimore, Maryland; Detroit, Michigan; Chicago, Illinois; and need I add, St. Louis, Springfield and Kansas City, Missouri.

He scored heavily because he played on the fears, the prejudices and the ignorance of white, middle class workers. (I use the term "ignorance" here in the sense of "lack of knowledge" and not in a derogatory sense.)

Has the field of adult education dealt with this phenomenon? I think not; at least not adequately. Scan your catalogues; review your course offerings and programs. It hasn't been dealt with in curricula exclusively devoted to Economics 101, Business English and "How to Make Money in the Stock Market."

WHAT DO WE KNOW ABOUT RETRAINING?

A Study

Concerning

Unemployed Workers

in

Depressed Areas

Alton C. Bartlett
January 11, 1961

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INTRODUCTION:

Unemployment is back in the news with increasing frequency these days. (+) The thing that makes it "hot" news, however, is that it doesn't seem to be exclusively any one of the three or four commonly accepted types. The normal division between types of unemployment was: (1) Cyclical, (2) Seasonal, (3) Frictional, and possibly (4) Technological. But this recent type is not just Cyclical; because it has been with us since 1947 during both the periods of prosperity and economic downturn.[50] At the same time it is something more than Frictional; because---by definition---this term is usually reserved for unemployment of short duration.[50] Seasonal unemployment is just what the name represents it to be: Seasonal; but this type lasts through all of the ups and downs within the year. Finally, to quote only one of an indefinite group of authorities, this type can hardly be a reflection solely of Technology:

> (because) "Higher-than-average unemployment rates in these chronic areas are traceable to a variety of factors. Among these are (1) the shutdown of obsolete or economically unprofitable plants; (2) the transfer of important local industries to other areas; (3) changes in consumer demand, in production technology, or in the competetive market position of certain products; (4) the depletion or exhaustion of natural resources; (5) lack of adequate industrialization." ! (29)

But, argue many people, if it is not exclusively any one of these types, perhaps it is different enough to deserve a special name. So to some the best name is "Prosperity" unemployment,[50] and probably it does fit well if your primary focus is on the fact that there has been a persistently high level of unemployment even during our highest levels of prosperity. It seems to me that this might tend to obscure the fact that this different type of unemployment is largely concentrated in a few "pockets"--mostly in one area--of the country!![29]

- - -

(+) The entire bibliography would tend to demonstrate this point.

Some people--pointing out that these "pockets" of unemployment largely result in labor-market areas strongly dependent upon the prosperity of one or two dominant industries, which are no longer prosperous--prefer "Structural" unemployment. They focus on the structure of the economy in these regions which they see as radically altered.[29] The only fault here is that even this designation fails to explicitly state the fact that not only has this unemployment persisted in good times and bad, and not only is it confined to a few "pockets" of the country, but it clearly affects primarily a certain class of worker! Hence some prefer the designation "class" unemployment.

The point I am leading up to is this: which name is used is not really very important; what is really very important is what these three names-when taken together-describe. The type of unemployment which we have increasingly become aware of since 1947 can be described-by using these names-as: (1) unemployment which largely affects a certain <u>class</u>, (2) in certain <u>pockets</u> of a small <u>area</u> of the country, (3) in both <u>prosperity</u> and recession! To my way of thinking, this is a good working definition of unemployment today. Certainly, the other types have not gone away; we have a new type to compound the problem.(+) It is to this type--and only this type--that I am addressing myself. Its solution---and I hasten to add, if there is one---can be found only through a complete examination of: (1) the full meaning, definition, and awareness of everything connected with a Depressed Area; (2) a knowledge of what efforts have been attempted and/or advocated in the past to deal with this question; plus, (3) a run-through such topics as transferability of skills, exhaustion of unemployment compensation benefits, differences between young people who finish school and those who drop out, the whole philosophy of unemployment

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(+) This is not to suggest that we just discovered this type. It has been around a long time; in England, for example for 60 years! We have not had the tools to measure it and separate it from other types for too long. The designation "new" is primarily to set it apart from the other standard types of which this is <u>not</u> one! Objections to "new" can be largely overcome by using another term. Perhaps "different" will do.

compensation, the whole question of older workers, i.e., (mobility, potential to retrain them, and the social and economic costs involved in using, or not using them, etc.), as well as a host of others too numerous to mention here!

Present Methods of Combating Depressed Area Unemployment:

Combating the problem of Depressed Areas usually takes one of two or three forms. They are: (1) moving jobs to the workers in these areas, (2) moving workers out of these areas to jobs, and of course, (3) some combination of the other two.

To accomplish the first of these requires the location of new industrial enterprises--or the relocation of old established industrial enterprises--in these areas. Encouragement for such moves usually takes one of two forms: the creation of a financial pie which may be sliced into tax forgiveness, building new factories, modernizing existing buildings, and outright grants to firms who will locate there, or; the "positive" British approach of requiring--as a matter of law[34]--that anyone building a new factory over five or ten thousand square feet, or adding on to an already existing facility, get permission from the Board of Trade.(+) Obviously the financial backing may be public or private, and may be local, regional, or national in scope.

The second approach relies upon moving the unemployed out of the area by matching them with new jobs where they are available. It is clear, for example, that some outward mobility takes place from a depressed area in any case.[41] This method creates a variety of problems which we will deal with later.

The third method involves some combination of the other two. Most European countries that do anything seem to utilize some form of this last approach.[4] England, as the best example, has been after this since 1934.[4 & 21] The Fabians had asked for work--not handouts or make-work--with retraining to provide new skills where necessary long before this. In fact assistance to unemployed workers who wished to resettle has been authorized since 1909 but even this was long after

- - -

(+) The British counterpart of our Department of Commerce, but more powerful!

the first Fabian agitation[4]! At first glance the success of this program in G. B. seems impressive. From 1936-1939 almost 125,000 workers were retrained and transfered from Depressed Areas to new jobs elsewhere.[34] More than one-half of the new factories started between 1945 and 1950 were in these areas: a total of 1,122 completed and 249 more in process.[34] The number of new jobs provided by factory employment alone in these areas was up 200,000.[34] These areas had had 38% of the national unemployment in 1932. By February 1950 this had fallen to 4%. By 1955 this was down to 1.9% of the male labor force and 2.5% of the female labor force.[34] A second glance, however, makes it quite clear that they can't claim to have licked this problem.[16] Much of their earlier success was due to the full-employment economy of World War II bolstered by the drafting of large numbers of men who might otherwise have been unemployed. Then they had a generally prosperous economy in the last few years aided by the necessity to rebuild the bombed-out sections of the country.[34] By 1958-in a time of economic downturn-the unemployment had reached four times the national level in these areas. More recently new areas have been added to the Distressed list![16]

Belgium, Germany, Sweden, and France are also committed--in some degree--to a two pronged approach.[4] Although we are not going to consider them, it should be noted that they have all had only limited success.[4]

What I have been doing thus far, then, is laying the groundwork for the notion that The Retraining of Unemployed Workers in Depressed Areas is a big subject, far too involved with other considerations to stand alone, even in a term paper! Yet what do we actually know about the subject? In three short words: not very much! I turned up four leads:(+) England,[42] which I've covered; Washington, D.C.,[42] Pennsylvania,[13] and Michigan.[42] Their contribution follows.

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(+) This is not meant to imply that there are no other sources concerning this subject. My research has been extensive, not exhaustive! It is worth noting that the Pennsylvania program is "disguised" in a sense because it comes under the State Education Laws rather than Unemployment Laws. Wisconsin, for example, also has legislation which could utilize the "permissive" Federal legislation. I have been informed that they are or have done so. I haven't checked this out as yet.

SPECIFICS ON RETRAINING: (*)

Washington, D. C.:

Despite repeated references in the literature, I was unable to uncover any knowledge of any payments for the retraining of unemployed workers in the District of Columbia. This does not have to mean that Retraining never has been carried on there. It is possible, for example, that Retraining is handled entirely through the Education in Washington, D. C. ! If so, it would fall under the control of the Congress and information about it would require making contact with the "right" agency. This I have not done! I can say with at least some confidence that any Retraining that has been done managed to slip by the District Unemployment Compensation Board unnoticed. (+) I intend to follow up on this as my curiousity has been aroused.

Michigan:

In response to my inquiry the Employment Service Director of the Michigan Employment Security Commission wrote a four page reply. The legal basis of the letter read like this:

> "Section 28 (e) of the Michigan Employment Security Act, providing for vocational retraining of claimants for unemployment compensation and the payment of extended benefits for a period of 16 weeks (increased to 18 weeks in 1943) to claimants taking such retraining, has been part of the employment security act since 1939."

Earlier in the letter this enlightening sentence--which illustrates the frequency with which the act was used since 1939--appeared as follows:

> "In 1959 we inaugurated a pilot program for retraining certain workers in Michigan's Upper Peninsula."! (#)

In response to 'interest (which) had been expressed...by unemployed and others in the Iron Mountain area", preliminary surveys were made of the numbers and

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(*) Much of this section's material comes from personal correspondence.
(+) See Appendix A for their letter in response to my inquiry.
(#) Underlining my own emphasis, (acb).

types of unemployed and of the facilities available for training. Results of the survey indicated approximately 80 claimants interested in vocational retraining. In selecting the courses to be offered, amount of tuition, type of training most needed, costs, facilities, and length of training time were considered. After eliminating several others, two courses were finally set up. They were "Drafting and Blue Print Reading" and "Machine Shop Theory and Practice."

The maximum number of students that could have been handled was 54. All prospective trainees were given the General Aptitude Test Battery B-1002. The results were used for multi-scoring of specific batteries for draftsman and machinist. Those showing favorable scores who had at least a tenth grade education were put in the more difficult drafting course. The others were put in the machinist course. The initial enrollment was 24 in drafting and 27 in machine shop; a total of 51. Of these, 38 were on extended benefits!

Both courses ran 18 weeks, four nights a week from 6 P.M. to 10 P.M. or a total of 360 hours.(+) The machine shop group was split into three sections. Each section had an instructor. There was one supervisor to coordinate the program. The 360 hours were divided into 90 hours for blue print reading; 90 hours for shop math; 180 hours of actual shop practice. The drafting group was all together and had only one instructor. Here the 360 hours were split so that forty hours were spent on each of the following areas: mechanical, architectural, machine drawing, and sheetmetal drawing. The other 200 hours were then spent specializing in one of these areas. The major difference in the two courses was that once the drafting group had commenced no newcomers could be added. In the machine shop section, however, a student could join

- - -

(+) It was decided that any more hours per week would mean a large number of dropouts in the event any of the trainees secured full-time employment during the course. Obviously, even if the state went along with a trainee's refusing a job during the training period most unemployed would have to accept almost any reasonable offer for employment just for the economic reasons--to say nothing of the social-psychological ones!

the course at any time and not be behind. There were several drop-outs and accessions. A total of 59 attended the classes from one to 18 weeks! There were only three cases of drop-outs for personal reasons! Securing of employment caused most of the drop-outs, and in eight of these cases, workers continued to attend for several weeks while holding a full-time day job!

Financing was handled as follows: (1) Each student paid four dollars a week tuition. This covered administrative costs. (2) The State Department of Instruction paid 48% of the five salaries---($3 per hour for 4 instructors; $3.50 per hour for 1 supervisor). (3) The County Board of Supervisors put up $2000 to cover the expected deficit resulting from the decreased tuition as students dropped out. The large numbers of accessions helped to reduce this deficit and the blaance was returned to the County treasury. (4) The State paid for 492 aggregate weeks of extended benefits; a total of $17,798.50! This did not come from any specific employer's account, but rather was paid out of the Solvency Account.

The public reaction was reported to be good. The school system which had been dubious at first was also well satisfied. Local industry was both encouraging and cooperative from the start. As for the workers, themselves, they must have been pleased:

> "...out of 46 trainees who received extended benefits, 21 attended from one to 17 weeks on regular benefits. Twelve trainees attended on regular benefits only (one for the entire 18 weeks), and 8 for a time while receiving no benefits. At $4 per week tuition, when the average unemployment compensation check for the area was only $33, this definitely indicates a high degree of desire for vocational training on the part of the workers." (+)

As for results, what can you say? You can report what happened, but what is the significance of the results of retraining 59 people? Actually,

- - -

(+) Taken from their letter to me. Underlining my own emphasis, (acb).

I am confronted by mixed emotions. On the one hand I find the results interesting, if not encouraging. Of the 59 trainees, 44, or 75% obtained employment. Considering the economic situation in the area, one can hardly fail to be impressed. Then, of this 44 who obtained jobs, 11 were in work utilizing their training: 7 entirely, and 4 to a lesser degree. Three other workers were employed with firms where there was a real possibility of using their training on more skilled jobs in the future. On the other hand, however, 75% of the trainees--including those who attended on regular benefits entirely--being reemployed, and only 25% of those using their training to a greater or lesser degree is hardly enough evidence to make me an advocate of retraining!

Pennsylvania:

This information was uncovered purely by accident. (+) A chance remark by a friend about a new case study on a Depressed Area just published by the B.L.S. led me to investigate, find, and order it from the Government Printing Office.[13] In rapidly scanning its contents I noticed reference to Public Law 78A which "...was particularly suited to training a work force for a new industry." I immediately fired a letter off to the obvious department, i.e., the State Employment Service, asking them to forward any and all information they might have about it. After waiting for several weeks I decided that the lead was another dud like the Washington, D.C. one, only Pennsylvania didn't have the time to waste telling me. Alas, after having just completed my paper, there in the mail--on January 5, 1961--was an envelope from the Pennsylvania State Department of Public Instruction! Undaunted, I began to examine the contents. The Pennsylvania story could properly be called the whole story on retraining that has been unearthed up to this moment. It warrants careful study.

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(+) It seems entirely possible that there may be a great deal of retraining going on in the U.S.! We may well have an adequate body of literature on the subject just begging to be pulled together. Much of it might be--in a sense--"disguised" as Pennsylvania's is by being under some department other than Employment. Of course there may be no other information on the subject available. In any event it may be worth looking at with more care.

Legislative Background:

Nothing I could say--no paraphrase I attempted--could state this better than the letter itself; therefore, let it speak:

"Discharge of the local school district's responsibility for the training of the unemployed has been made possible by the enactment of both Federal and State legislature.

Federal Law - Section 7, (5) of the George-Barden Law provides that Federal funds appropriated under the authority of the Act may be used for the operation of

> 'pre-employment schools and classes organized for persons over 18 years of age or persons who have left the full time school,'

and that these schools and classes

> 'may be operated for less than 9 months per year and without the requirement that a minimum of 50 percent of the time must be given to shop work on a useful or productive basis.'

This is the legal basis for conducting Type C courses and for using George-Barden funds for their support. National policy relating to the operation of these classes is contained in Vocational Education Bulletine No. 1, Administration of Vocational Education, revised 1948, pages 70 and 71, Types of All-day Trade Training - Type C.

Pennsylvania Law - Pennsylvania accepted the Type C program in 1951 with the passage of Act 134A. At the close of the biennium the program was reinstated with the passage of Act 78A. Then in 1957 the programs were permanently instituted in section 2508.3 of the School Law. Section 2508.3 is titled 'Payments for Vocational Training of Recipients of Public Assistance and Unemployment Compensation.' The act states:

> 'the State Board for Vocational Education shall establish rules and regulations and thereunder approve and authorize payment of the full cost of intensive vocational education classes for qualified assistance recipients or other unemployed to take definite available employment which may be contingent upon such training."

Scope of Training:

Since their philosophy (+) assumes that the greatest opportunity for development of these programs lies in the area of semi-skilled and single-skilled occupations there are certain "general" restrictions. On the whole, however, the program is extremely flexible with regard to both content and the extent of training. For example: (1) Course titles need not be restricted to industrial occupations but shall be limited only by available employment

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(+) As they point out, this is based on the fact that "adults cannot, for economic reasons, spend extended periods of time preparing for employment..."!

opportunities. See Appendix B for list of the range of course offerings from 1952-1960. (2) Sessions may be operated during any time of the day or night on any days of the week. (3) In general, a plan of maximum operating intensity "may be training for six to eight hours per day for five or six days per week." A plan of minimum operating intensity "may be sessions for three hours per day for three days per week." (4) With the exception of Practical Nursing, all courses shall be limited to a maximum of six months duration for any one trainee. (+) (5) Failure to place in "paid employment" at least 60 percent of the enrolled trainees within 15 days of course separation will be cause for termination of the course. (6) Employment specifications will be determining factors in trainee recruitment. Trainee acceptance shall not be restricted by reason of race, religion, color, or physical handicap.

Fiscal Policy:

Cost items which are applicable to this program and, which will be reimbursed "when justified and approved" on a special application form are: salaries of essential personnel; travel of personnel on official business in connection with the program; consumable supplies--actually consumed--for the office, for instruction, and for janitorial and maintenance; communication, i.e., postage, telephone, printing, duplicating, advertising; insurance which includes compensation, retirement funds, plant and equipment protection; and overhead in the amount of five cents ($.05) per pupil hour of instruction!

> "Since this program is considered to be a fully reimbursable one, at no cost to the local district, tuition costs for enrollment are not a recognized charge."

Since the amount of the appropriation available is limited, priority is given to requests "in the order they are received", but, "with emphasis upon the relative need for training and available opportunities for employment."

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(+) "Exceptions to this rule may be granted upon request to the Department of Public Instruction with appropriate justification of the purpose to be served by the exception."

Reference of trainees shall clear through the Pennsylvania State Employment Service and the Department of Public Assistance offices only! Finally, all items of production in the training program which are usable shall not be sold. They shall be donated to charitable institutions instead. Furthermore:

> "All such items are to be clearly identified that they are a product of the training program sponsered by the local school district conducting the program." (+)

Responsibility for the Program:

"These programs are established on a cooperative basis between the Local School District, Department of Public Instruction, Department of Public Assistance, and the Bureau of Employment Security. The Bureau of Employment Security must certify to the Department of Public Instruction that there are sufficient job opportunities and a sufficient number of unemployed people who can be trained to fill these jobs. This Bureau then screens the trainees and places them on the job after they have completed their training program. Trade and Industrial Education Office of the Department of Public Instruction is the administrative agency for the program." (+)

Purpose of the Program:

"To provide brief, intensive vocational training for unemployed adults over 18 years of age or legally out of school youth over 14 years of age. This training will be designed to equip recipients of public assistance or unemployment compensation with the basic skills and technical knowledge required for entrance into local community industry.

These concentrated, short unit courses provide a social service enabling the unemployed to become self-sufficient. The economic and sociological values acruing to the trainees are immeasurable, but the savings to the state, the increased purchasing power, and the increase of taxable income

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(+) Extracted verbatim from the typewritten material I received from the Department of Public Instruction.

paid by the newly employed people can be very readily measured in terms of dollars and cents.

Although not an initial purpose, a subsequent result of training the unemployed is the increased interest and understanding of the public for the benefits of all education.

Ultimately, the purpose of the program is to extend and improve the Commonwealth's educational services available to the people."!! (+)

The Program in Action; Results:

What I have been saying before now about Pennsylvania mainly deals with the structure, or framework, they have established to deal with--what is to them--a crisis of major proportion. The real question is: Does it work in practice? If so, how does it work in practice? Has it done any good? How much does it cost? Is it worth the expense? Could it be applied elsewhere? For the answers to these and other questions, let us examine specific examples.

"Industries looking for new plant sites will find a unique feature in the educational program in Pennsylvania. The public school system can provide training in the skills needed to staff practically any type of industry, whether it be a long established operation or an entirely new plant. The Trade and Industrial Education Service of the Department of Public Instruction has a State-wide staff which is competent in analyzing training needs and organizing adequate training programs. This staff consists of 13 State supervisors and 76 local supervisors located strategically throughout the Commonwealth. The group has a long record of close cooperation with industry in solving training problems.

Within the immediate past, training programs have been operated for such diversified industries as: manufacture of shoes, hosiery, trailers, garments, electronics equipment, extrusion of polyethylene, and many others. In all cases a 'core group' of workers was trained before production was started in the plant." (*)

(1)"The experience of Robin Footwear Corporation of Mount Union, Pennsylvania, is a typical example of this service. This company, once located in another State, decided to relocate in Mount Union.

Mount Union is a pleasant but busy community of 5,000 located in scenic Huntingdon County in the central part of the State. There

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(+) Extracted verbatim from the typewritten material I received from the Department of Public Instruction.

(*) "Employment through Training. A Service of the Public Schools of Pennsylvaniz to New and Established Industries of the Commonwealth." Commonwealth of Pennsylvania, Department of Public Instruction Trade and Industrial Education, Harrisburg.

had never been a shoe industry in or around the community. Consequently, none of its people had any of the necessary shoemaking skills. As soon as the key equipment was installed, 75 unemployed persons were selected and training given on the various operations in the manufacture of shoes. All instruction was given on the trainees' own time. In ten weeks time, 150 were trained, each receiving from 50 to 150 hours of instruction, depending upon the operation being taught. Instruction was given in the actual production of shoes. The public schools furnished a director of the program, the instructors and the material. The director analyzed the job, established training procedures and set training goals and scheduled trainees into the program.

When the training program was completed, the public schools pulled out, taking with them all the material which had been purchased for training use and all finished products. In this particular program there were 10,000 pairs of finished shoes. These were distributed among the various State supported institutions for use of the inmates.

The plant then started production on the equipment available, using the first group that was trained. As additional equipment was installed additional trained people were put to work. Eventually, all but 10 of the 150 which were trained were put to work.

The value of this preproduction training program was best stated by Mr. Sam Rosen, President of the Robin Footwear Corporation...

> 'To establish a shoe factory in a community in which there had been none before and consequently where there were no skills in shoemaking would be a costly and difficult task. Without the training program, we probably could not have made the move to Mount Union.
>
> However, we are glad we did. The training program was well organized and efficiently operated.
>
> The people are concientious and intelligent and learned their skills quickly and well. We can recommend this service to anyone who has a problem similar to the one which we had'." (+)

(2)"Governor David L. Lawrence recently commended the Department of Public Instruction's Trade and Industrial Education Division for its efforts in training unemployed persons for jobs in the community of Sayre.

A vocational training program in Sayre, set up and administered by the Department of Public Instruction, has helped give jobs to 85 persons in the recently opened plant of a shoe manufacturing company.

The purpose of the training program was to train personnel for jobs in a new branch of the Treasure Shoe Manufacturing Company of New York which has opened in Sayre.

In a letter to Dr. Charles H. Boehm, Superintendent of Public Instruction, Governor Lawrence said, 'It is interesting to know what can be done when Departments of State Government pool their resources and work together for the betterment of the citizens we all serve.

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(+) "Employment through Training", op. cit.

Note: All underlining my own emphasis, (acb).

"Enrollees in the program received instruction in the plant facilities, but the Department of Public Instruction furnished the instructors and materials. As a result, 85 formerly unemployed persons were placed in jobs paying from $50.00 to $80.00 per week.

'Nobody in the community of Sayre knew how to make shoes before the shoe company came into the area,' said William L. Cooper, Industrial Education Coordinator in the Department of Public Instruction, 'and our job was to train a portion of the local labor force in order to take advantage of this new employment opportunity.'

'The training program lasted five weeks,' Cooper explained, 'and its completion was time to coincide with the start of production in the newly constructed plant.

These people will earn a total of almost $250,000 annually, and this payroll will have a decided impact on the community of Sayre. Hiring of these people will also make necessary additional personnel such as stenographers, supervisors, laborers, and similar nonproductive employees.'

During the training period 7,740 pairs of shoes, valued at $2.00 per pair wholesale, were manufactured and given to the Commonwealth. The State therefore received value in goods to the amount of $15,480. These shoes are now in storage and will be shipped to State institutions for use when needed.

Cost of the program to the state was approximately $14,000, less than the total value of the shoes manufactured during the training period. (All the underlining is my own emphasis, acb)

Governor Lawrence also commended the Department of Commerce for helping attract the new industry to Sayre and stated, 'To the two departments that worked together on this project the people of Sayre and of Pennsylvania owe a debt of gratitude for stimulating the economy of one of the State's communities'."! (+)

Summary:

This, then, is the Pennsylvania story. Here we see a state that is hard hit economically because of several chronically depressed areas within its borders. It has taken the offensive against this menace. This is a priceless example of a State taking advantage of "enabling" legislation at the Federal level to the best advantage of the State. It has brought a large and diversified arsenal to bear on the problem. The Retraining of a work force suited especially for your own business, plus other equally attractive inducements is bound to attract new industries. As a matter of fact it has!

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(+) "Newsletter". Vol. 5, No. 2, September, 1960, p. 1. Department of Public Instruction, Commonwealth of Pennsylvania.

RESTATING THE PROBLEM:

At this point I would like to withdraw my frontal attack on this question and try, instead, a flanking movement. This would require changing the question from What Do We Know About Retraining to a new question such as What Do We Know: About Retraining. This play on words may seem senseless to you but the point is simply this. The most important purpose of this paper as I see it, is to arrive at some decisions, suggestions, and conclusions about retraining based on all the ingredients that will eventually go to make up the retraining package--if we decide to market it. The first ingredient to consider is the Depressed Areas themselves.

The Areas:

The B.E.S. scheme for classifying labor market areas is this. They establish three types of labor market areas in the United States: (1) Major, (2) Smaller, and by definition of the other two, (3) those not otherwise classified.[46] A Major area has a "central city" with a 1950 population of at least 50,000.[46] A Smaller area has a 1950 labor force of 15,000 or more.[46] Thus areas of under 15,000 are not classified in this scheme. Although the Major areas are a long way from the whole story,(+) for ease of handling we will be primarily looking at them. The 145 Major labor market areas account for nearly 60 percent of the civilian, noninstitutional population, 14 years and over, in the continental United States.[46] These are grouped into three classes.[46]

CLASS 1 - Areas with a consistently tight or balanced labor supply - demand situation. That is, areas whose classification remained at "A", "B", or "C" from January 1957 to May 1959.

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(+) On this point see, "Task Force '61---Kennedy On The Bridge". Newsweek, January 9, 1961, p. 59. This article is only one of may in almost any conceivable publication which which touches on the idea that there is more to Depressed Areas than just the Major labor market areas. This article talks about "300 to 400 low-income rural areas".

CLASS 1 - Areas with substantial labor surplus during the recession, but which showed recovery in 1959. That is, areas whose classification fell to "D", "E", or "F" after the first quarter of 1957 but returned to "C" or better by May 1959.

CLASS 3 - Areas of Substantial Labor Surplus and/or Chronically Depressed Areas. That is, the areas whose classification either: (1) fell to "D" , "E", or "F" after the first quarter of 1957 and were still "D" or worse in May 1959--or--(2) was "D" or worse throughout the period January 1957 to May 1959.

Our focus here is only on Class 3 areas. Let us examine them in detail.

Class Three Areas:

Class 3 areas comprise 57 of the 145 Major labor market areas in the continental United States.[46] Of these, 38 could best be described as areas having substantial labor surplus because of the business downturn.[46] The other 19--from here on referred to as 3B areas--could best be described as Chronically Depressed Areas.[46] Although all Class 3 areas could use assistance, the first attention should be paid to just 3B areas. They have over 10% of the total class 3 population of working age: that is, 3 million people total![46] The analysis of Harold Kuptzin points out that the:

> "Employment trends and overall labor market conditions in each of the 17 chronic areas have been strongly influenced by developments in one or two industries." (29)

In fact, in 12 of the 17 areas a single industry, either in 1950 or 1959, --usually coal mining, textiles, autos, or machinery--accounted for more than 20% of local nonfarm employment.[29] In 4 of the 5 exceptions-coal mining in two and textiles in two-they had already been declining for some time prior to 1950.[29] Let us look briefly at specific examples.

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(*) It may appear that my arithmetic is bad, my typewriterslipped, or I don't know what I am doing. The two areas we lost--from 19 to 17--is because of the differences in the dates of the two different studies. There were 19 in the first study--which actually was done later--and there were only 17 in this last study--which was done earlier.

Automobiles:[29]

In May 1959 automobile production was only 6% below May 1950, but the industry's employment totals had decreased almost twice as fast: more than 11% or 95,000 jobs. Table 1 shows the trend from 1953 to 1957.[29]

TABLE 1

Year	Average Yearly Employment	Production in Millions
1953	928,900	6.1
1955	903,800	7.9
1957	786,300	6.1

The effect on Detroit has been pretty marked, for nearly 130,000 automobile jobs--more than one-third of those in existence in May 1950--have disappeared during the past nine years. In May 1950 Detroit had 40% of the nation's total automotive employment; by 1955 this was down to 35%; by May 1959 it was down to 28%. Also affected, but not to the same degree, by this trend are Buffalo, New York; Flint, Michigan; Muskegon-Muskegon Heights; and Evansville, Indiana.

Steel:

Over the 9-year period from May 1950 to May 1959, monthly production in steel increased nationally by abour 35%, while employment moved up by around 6%. Three areas of Labor Surplus--Johnstown, Pa., Buffalo, N.Y., and the combined labor market area of Wheeling, W.Va. and Steubenville, Ohio--reported steel employment decreases ranging from 4% to 11% during the period 1950-1959! Pittsburgh, on the other hand, had an overall employment increase of 2.4%. It should be remembered, however, that this was only about one-third as much as the national average.

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Textiles:[29]

Production in May 1959 was up more than 10% above the May 1950 level. In this same period employment declined 22.6%: 1,247,000 jobs to only 965,500 jobs. Table 2 shows the effect on Textile-dependent cities.[29]

TABLE 2

	Jobs Lost	Percent Decline
New York City	7,900	16.7
Philadelphia, Pa.	23,000	39.6
Patterson, N.J.	15,900	45.8
Providence, R.I.	24,800	47.4
Lowell, Mass.	(+)6,500	50.0
New Bedford, Mass.	(+)6,500	50.0
Lawrence, Mass.	15,400	80.0
Utica-Rome, N.Y.	7,600	82.6

(+) The source (29) actually says between 6000 and 7000 jobs.

Coal:[29]

Production has declined in the past 9 years both more-than and less-than the presently stable point of about 15% below the May 1950 figure. The total employment stood at 479,000 jobs in that year. By May 1957 there were 222,000 less jobs! In 1958 another 45,000 jobs were lost. In effect this means there are currently 212,000 jobs left in coal mining; 267,000 have been lost. To put it another way there are 44.3% of the 1950 jobs still remaining in the coal mining sector of the economy: 55.7% are gone![+]

This is one way to look at Class 3 areas. Lets try a different one.

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(+) The UMW has been forced to reduce its pension benefits from $100 to $75 a month as of Friday December 30, 1960 because of a "large decline in revenues brought on by 'economic conditions' throughout the country." Wisconsin State Journal, December 31, 1960, "Mine Workers Cut Pension $25 a month."

A different approach to studying Class 3 areas is to consider that they--like any other American area--are bound to have a certain amount of unemployment. By using this approach we will readily see that these chronic labor surplus areas generally were harder hit by the last recession--in fact by any other one--than the country as a whole. These 17 areas lost slightly more than One Quarter of a Million Jobs, (251,800), during the year ending May 1958.[33] This 10.1% decline in these areas was nearly 2½ times as sharp as the national average decline of 4.2 percent for the same period. To illustrate this let us turn to the New England Region. The closing of a plant by Textron Inc. caused so much protest that a Congressional Investigation was held in 1948.[33] The publicity--among other things--led the company to support and initiate effective redevelopment plans. Later this was played up in a big way as the best approach to getting the Depressed Area job done: community plus industry self help: a kind of "operation bootstrap"! Overlooked is the amount of heat the Congressional investigation generated. The point is that this is a special case. Manchester, Lawrence, Lowell, Fall River, New Bedford, and Providence didn't fair so well. Table 3 seems to illustrate very nicely the effect upon Depressed Areas of a cyclical rise in unemployment from a high base of chronic localized unemployment.[33]

TABLE 3

Unemployment As A Percent Of The Labor Force
(annual averages)

	1952	1953	1954	1955	1956
New Bedford	6.9	5.7	11.3	8.6	6.1
Lowell	7.6	6.5	10.5	8.8	6.8
Providence	8.4	6.1	12.3	8.7	8.0
Fall River	11.2	5.4	9.3	6.1	6.3
Lawrence	23.1	19.0	24.1	16.4	10.2

Source: (33)

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To summarize Class 3 areas then, we can say they are characterized by: (1) being largely dependent upon one or two industries, which either move away or are declining; (2) they thus have a sizable base of unemployment on which any economic downturn builds to make the situation chronic. Additionally, class three areas accounted for 1.1 million unemployed in the spring of 1959--nearly one-third of national unemployment--yet at the same time they represent only one-fourth of the nation's population and labor force. Their rate of unemployment was 6.3 percent; both class 1 and class 2 had rates of 4.9 percent! As a final characteristic, these areas are really few in number, for although at least one Major or Smaller area with chronic unemployment has been identified with each of 22 states, the 17 Major mainland chronic areas are concentrated in eight states. Pennsylvania has five of these areas and Massachusetts has four![29]

Class One Areas v. Class Three Areas:[1 & 28 & 46]

There are two types of comparisons that can be made between class one areas and class three areas. The first type is a comparison of the mix of jobs and the mix of workers.

The mix of jobs in class 1 areas is 50% Government, Trade, and Service, and 20% Manufacturing. The class 3 mix of jobs is only 40% in Government, Trade and Service, but 34% in manufacturing. The percent of people in the labor force over 35 years of age was: class 3, 63%; class 1, 59%. On the other hand the percent of people in the labor force under 25 years of age was: class 3, only 15.5%; class 1, 22.3%! The sharpest difference was among the boys who usually go to school and work part-time---16 and 17 year olds. There were 20% less in the class 3 labor force than there were in class ones. Apparently they don't even look for work in a Depressed Area!

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The second type of comparison is concerned with the unemployed. Are they from the same mold, and the only difference is that there are more of them? I am convinced that they are different. Class 3 areas accounted for over 40% of the total national-long-term-unemployed, that is, those out of work over six months! At the same time they accounted for only 25% of the total national-short-term-unemployed, that is, those out of work less than one month! Among the unemployed in these two areas, over 40% of those in class 3 had previously held jobs in manufacturing; only 20% of those in class 1 held a manufacturing job before. Class 1 had much more of its unemployment among married women. Class 3 had much more of its unemployed among married men who were also the heads of families. In fact, unemployment percentages among men from 25-64 years of age was 45% for class 3 but only 36% for class 1. Although the rate of teenage unemployment was the same--(17%+)--for both classes, only 16% of class 3 unemployment was among teenagers, while 25% of class 1 unemployment was among teenagers. Finally, there was a higher proportion of both semi-skilled and unskilled among both employed and unemployed in class 3.

Profile of The Typical Depressed Area Unemployed Worker: (+)

Can you make a good case for there being a typical unemployed person in a Depressed Area? Basically the answer is yes. For example Long,[50] in speaking about the prosperity month of March, 1957, points out that the half of the civilian labor force with less than four years of high school suffered 70 percent of the unemployment. College graduates, who are 9 percent of the labor force had 1.6 percent of the unemployment. Or in another example he says

> "In prosperity years, about one-fourth of the unemployed suffered nearly two-thirds of the aggregate unemployment, and half of the unemployed suffered 85 - 88 percent of the unemployment." (50)

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(+) See For Example: 7, 13, 17, 19, 30, 36, 37, 44, 46, 48, 49.

With these ideas in mind--plus considerable other evidence--I feel it is safe to generalize and say that the unemployed worker in a Depressed Area is either quite old-(over 50)-or quite young-(under 25). He is most likely to be "blue-collar", a semi-skilled or unskilled factory, mine or construction worker. He has had little schooling-obviously less than high school-and quite probably eighth grade or less. He has probably exhausted his U.I.! (+)

Exhaustion of Unemployment Compensation:

This leads us to a study of exhaustion of unemployment benefits in Lansing, Michigan.[10] It has a labor force of about 90,000, and it is largely a labor market for Government-(the state capital)-and Education-(the University) It does, however, have 28,000 workers in manufacturing of whom 75% or 21,000 are in automobile plants. From August 1957 to August 1958, Lansing had a rate of unemployment of at least 9%. The study selected 2,528 "first payment" recipients of whom 70% were auto workers. Of these, 851--(or a ratio of 33.7%)--exhausted their benefits. Seventy percent of the exhaustees were also auto workers! Michigan unemployment benefits, by the way, run from 9½ to 26 weeks.

The study concluded that: (1) Those who have a full 26 weeks of benefits had lower exhaustion than those with less than 26 weeks benefits; (2) There is an inverse relationship between age and exhaustees--except for those over 65. That is, the younger people exhaust more; (3) Semi-skilled and unskilled have the same exhaustion ratio: high! The ratio for skilled claimants though is significantly below average. Professional and managerial exhaustions were low. Clerical and sales people tended to have relatively short periods of employment before their claims period. This lead to shorter benefits and thus higher exhaustion. Thus, the women, younger, and higher skilled had much the better employment records. It is no wonder they are not the ones we find in the Depressed Areas!

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(+) See For Example: 3, 10, 11, 12, 20, 21, and 42.

SUMMARY:

Thus it is clear to me that there is a problem with Depressed Area unemployed. They are living in an economically retreating section of the U.S.! Jobs are tough there even in good times, and they are terrible in recessions. The younger, better skilled workers have deserted the sinking ship, but: they have superior products to sell; they have more productive years left; they have less dependents to worry about, and move; and change isn't so hard for them to adapt to. The guy who is left behind may have property and a house he has built up over the years. Can he, and should he, be asked to abandon it without a fair return? But who would want to buy a house in a Depressed Area? You can't get a decent price. A man would want what he has put into it, but the current market value is almost zero. Should he bear the loss? Quite probably he is much too broke to afford to move anyway. Where does he get gas money, or plane or train fare. How does he pay for temporary quarters until he gets a new job? How does he--and his family--eat during the transition period? And then, of course, what are his chances of getting another job. He is unskilled or at best semi-skilled. He has little education. Should he, and can he be helped by retraining? Even if the answer is yes, who decides what he should be retrained for? That is, who has the final decision on whether he must retrain for one specific job; whether he must move to a particular area, and; whether he must take a certain job? There is, after all, an enormous social cost involved in all of this in addition to the financial burden.

What is the answer? From the viewpoint of the people involved, it seems clear something must be done. Just for the moment, however, let us be quite realistic about this whole thing. Let us look at it from a purely selfish point of view. What's in it for us?

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What's In It For Us?

The number of work-days lost in fiscal 1958--by cause--looked something like this.[47] Table 4 tells the story.

TABLE 4

THE FOUR MAJOR CAUSES OF WORK-DAYS LOST DURING FISCAL 1958

Causes	Work-Days Lost
Strikes	23 million
On the job accidents (excluding death)	55 million
Illness and Injury	544 million
Unemployment	1.1 BILLION

In fact, the work days lost from Strikes alone since World War II were less than one-half of the 1958 unemployment losses![47] Yet Strikes merit legislation.

How can we--I mean the rest of the employed--fail to do something about it? At this stage of the battle between the economies of Soviet Russia and the United States, we need total production; not something less because it is cheaper. The point would seem to be that it is cheaper to do something about it.(+) The alternatives should make it amply clear What's In It For Us!

Recommendations:

Without hesitation I suggest as one part of the solution to the problem of Depressed Area unemployment, a full-scale retraining program. The concept of retraining, however, should be modified. Although retraining can and should be made available to all those in Depressed Areas who could make proper use of it, I feel there are clearly defined limits to how far such a

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(+) See For Example: 28 and 35. Also see the section on Pennsylvania!

program can and should be pushed. Being reasonably cold and objective, once again, let us forget the "human factors" involved and ask: Why retrain a janitor of 55, a coal-miner of 51, an auto-worker of 62, or a textile worker of 57? To begin with, is it fair to other janitors, coal miners, auto workers, textile workers, and all the other people now working, to ask them to pay for the improvement of the "economic position" of competitors? Isn't this like telling a janitor who is now working for $45.00 a week that if he had only had the foresight to move to a depressed area and be laid off he too could be retrained for a better job? I think the answer is yes, and this is not a bad argument against retraining! Furthermore, it isn't the only one. Let us suppose we do retrain the type of people listed above. In a few years
18 & 36
they will be out of the labor force. One could almost argue that part of the problem would go away as soon as they retire; why not wait? Even this is not totally an idle argument. But of even more importance is the question which is raised as to whether it may not be something next to impossible to retrain
14 15
older, lower educated people in jobs they will be able to <u>obtain</u> and <u>hold</u>! To meet these objections--and others--is the reason I offer a different idea of retraining. Why not retrain the young people of 25, 30, and 35 instead? It is easier--in the name of the whole society--to advantage the younger people in our labor force at the expense of the others. Secondly, they have a much greater number of productive years ahead of them. Finally, they quite
7 & 27
probably already have more education upon which the retraining can be built. More difficult? Undoubtedly! But isn't it also more sensible? I think so. We <u>certainly</u> would face serious objections and problems if such a scheme were attempted. At the same time it may well be that what we need is a different set of objections and problems to deal with. The old ones are, at best, old.

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To follow up on my suggestion let us take a look at a survey published in Nations Business which points out what kinds of jobs are going without enough takers despite the considerable unemployment in our economy. They are tool design, mathmeticians, accountants, engineers, higher-type (technical) clerical, higher skilled machinists, welders, cabinet makers, plumbers, junior and senior physicists, trained statisticians, health and other such professional people, and teachers, just to name a few.[26] Clearly a 59 year old coal miner may not be able to make the transition from coal mining to senior physicist, but a junior physicist could! The next man down the job hierarchy could move up a notch and so forth. The coal miners son--probably a high school graduate--could also be advanced from his present job given half a chance. What I am suggesting then is this: (1) Wherever possible each skill-level be advanced one notch, with private and public financing of the retraining where necessary; (2) slotting into the vacancies created where a subordinate can't be retrained to fill the next higher level job, all those young retrainable people who aren't fully utilizing their potential; (3) leaving the "lower-level skill jobs" for the older, less skilled, less educated, depressed area unemployed person, rather than asking him to make the "giant" step. It seems to me such a program would have many advantages, but if nothing else it may create room at the bottom for the Depressed Area unemployed. This would be <u>one part</u> of my proposed solution. The rest follows.

Running along the same lines as retraining are the "fringe" elements I feel must be dealt with to make such a program workable. Even a retrained man in a Depressed Area with no job prospect and no money to move, is worth but little more than an untrained man. Let us wake up to the fact that Depressed Areas are not a local problem to be met in the manner suggested in Footnote 2 (+)

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(+) On this point, see also, <u>U.S. News & World Report</u>, January 9, 1961, pp. 101-103, "Where Workers Will Accept Lower Pay To Get Jobs." This whole approach suggests the underlying idea that higher wages are responsible for unemployment. See on this, <u>St. Louis Post Dispatch</u>, December 28, 1960 reporting on a speech made by Clarence D. Long.

in the editorial taken from Life Magazine. The story of the poor starving, unemployed worker who went to the bank for a loan but was refused because he didn't have any money in the bank for collateral is being retold on a National scale. Who else--but a man without money in the bank--needs money? Who else but a local Depressed Area needs outside financial assistance? In short, the problem is National, not local. If the country were to build a dam in one of these areas it would see to it that the displaced people received full-value for their homes and property. If one of these areas were to be hit with a flood or tornado the whole nation-public and private sectors-would pour relief into rehabilitating the area and the people. These areas are no different, they are no better off. Is it too much to ask that they be treated as a National emergency too? I propose that homes and property be purchased at a fair price, transportation, meals, living expenses, be paid for these "retrained movers" until they are reestablished in the new area with a job. (+)

Even this is not the end of my proposals. Recognizing-what I consider to be the fact-that future growth in our economy must depend, in a much greater degree than previously, on the so-called "public" sector rather than on the "private" sector-motivates the rest of my plans. First, I would wish for a full scale attempt to build enough schools to handle all of the children as they should be taken care of. Second, in conjunction with the first, I desire a sizable aid to education program to accomplish such short-run things as keeping present teachers and enticing many more competent people to return to--or prepare for--a teaching career, but with the long-run goal designed to eliminate almost any person being able to escape into the labor force with less than a high school degree. These two moves alone would provide additional employment opportunities. Third, and last, I submit that we desperately

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(+) Even if it were willing, I feel private industry couldn't handle such a gigantic undertaking. For examples where they have indulged in some small amount of this, See for example: 8, 23, 38; also see report of Lockheed Aircraft's moving 1800 employees over 400 miles (in) Industrial Relations News: A Weekly Newsletter for the Industrial Relations Field. Oct. 1959.

need a highway network capable of handling the present day traffic. This is a need, not a make-work scheme. This certainly wouldn't hurt employment!

So far I have talked only about moving workers to jobs with an intermediate stop for retraining. But it seems reasonable to me--on the basis of some of the descriptions of depressed areas(+)--that they need not be evacuated and made into cattle-grazing land. In these "better" areas then, we should relocate old industries and locate new industries. Perhaps we will have to pay them or forgive their taxes, or use the British "positive" approach that a new building must be approved before it can go up.(*) This too meets my approval.

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It may be argued, and rightly so, that these schemes are naive and radical. To this I can only say that I believe in them; I feel that in some measure they can be made to work. I sincerely advocate them. It may also be argued that they will cost money--lots of it. I agree with this. It should be clear that I do not favor wholesale spending for spending's sake--I am not the "last of the big time spenders." At the same time I am not opposed to big spending. A road, school, postoffice; a better teacher, accountant, secretary; or a worker producing at full capacity instead of standing idle on the "Dole" does not represent wasted money. If General Electric invests in a new machine or additional buildings this is considered investment and progress: they are exchanging the asset money for physical assets; this is not waste. If General "Ike" invests government money in new schools, roads, retraining unemployed workers, etc., is this, by definition, waste? I think the answer is clear.

It really is time we did something about Depressed Area unemployment. Retraining <u>could</u> be part of the answer. For the rest of the solution I offer "Bartlett's Law"(#): money extracted <u>internally</u> from citizens which is respent <u>internally</u> for citizens does not have to be wasteful use of said money.

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(+) See for example: 1, 13, 14.
(*) This would tend to "persuade" people to locate in depressed areas.
(#) I feel certain I need not say this is not my own original thought!

CONCLUSION:

Perhaps I have said it badly. To state it again: I feel that the problem of Depressed Area Unemployment is serious; retraining may be part of a solution, but it is a far cry from being the total answer. Perhaps the easiest way to conclude is to quote from Long who said it so well in a slightly different context and from a different take-off point:

> "...the performance of our economy in providing high employment under rapid growth and stable prices would be best enhanced, not by increasing the aggregate demand for labor through spending, but rather by improving the quality and availability of the prosperity unemployed, in order to qualify them for the kind of jobs the economy can provide in time of peacetime prosperity without inflation.
>
> This is not so simple as increasing aggregate demand through spending. It means fighting unemployment on many levels: by improving the education and training of the young and unskilled; by restoring the usefulness of the middle aged through rehabilitation and replacement of obsolete skills; by removing barriers to the employment of the old, the negro, and even the female worker; by providing more job information to workers of all ages and extending more encouragement to move to new occupations, industries, and areas; by eliminating the temptation of some workers to malinger in order to collect unemployment insurance; by modifying the unsettling effects of bad weather and irregular buying and selling habits in creating seasonal variations in employment; by moving new capital and enterprise to depressed areas; by improving the efficiency of small and marginal firms, in order to reduce the high rate of business deaths that occur even during normal times; and by curbing the monopoly power of giant firms and unions--a power which enables them to seize on improvements in business as an opportunity less to expand production and employment than to raise wages and prices."!! (50)*

The above, in large part, is what I have been trying to say!

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* Note: The underlining is my own emphasis. I also want to make it perfectly clear that I do not believe that giant unions by any stretch of the imagination possess a monopoly power. I submit that it does not meet the necessary conditions precedent to even qualify for such a designation. Others feel the same way, Barbash, for example. Also see on this "Myths and Facts About Labor Unions" by Rev. Clair M. Cook, Th.D., in Adult Teacher, Nov. 1960.

C-O-P-Y C-O-P-Y

APPENDIX A

GOVERNMENT OF THE DISTRICT OF COLUMBIA

District Unemployment Compensation Board
451 Pennsylvania Avenue, N.W.
Washington 1, D. C.

Robert E. McLaughlin, Chairman Edgar L. Lickey, Director

December 5, 1960

The University of Wisconsin

Madison 6, Wisconsin

Attention: Mr. Alton C. Bartlett
Research Assistant

Dear Mr. Bartlett:

We regret to inform you that this Board has not made any payments for the retraining of unemployed workers, nor do we know of any agency in the District of Columbia which has made use of such payments.

Sincerely yours,

Edgar L. Lickey

APPENDIX B

Training of The Unemployed

Range of Course Offerings
1952 Through 1960

Aircraft Mechanic "E" License

Auto Body Repairman

Automobile Mechanic

Bricklayer

Carpenter, Industrial

Diesel Mechanic

Draftsman, Mechanical

Electrical Assembling

Electrician

Electric Motor Repair

Furniture Repairman

Hoisery Finishing

House Wireman

Letterpress Printing

Machine Tool Operator

Mason

Offset Printing

Paper Hanger and Interior Decorator

Pipefitter

Plumber

Polyethylene Extrusion Machine Operation

Power Sewing Machine Operator

Production Machine Operator

Radio & TV Construction & Repair

Radio Repairman

Servicing & Operation of Heavy Construction Equipment

Sheet Metal Fabricator

Shoe Manufacturing

Sign Printing

Silver Soldering

Stenographers & Typists

Television Service

Tracer, Drafting

Tractor Semi-Trailer Operator

Waiter & Waitress

Welder, Acetylene

Welder, Electric

Woodworker, Hand and Machine

Source: Mimeo. Commonwealth of Pennsylvania, Department of Public Instruction.

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** See Next Page.

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(+) The reference to Clarence D. Long should have been number 32 but it was omitted by mistake until all of the footnotes were in. To change it then was a Major undertaking. It is easier to insert it in its proper order, without changing the number (50). The alternative is to renumber all references after 31 in the Bibliography and Text.

APT

TH Exempt

U. S. TREASURY DEPARTMENT
INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P. O. BOX 3100
NEW YORK, N. Y. 10015

February 26, 1965

IN REPLY REFER TO
Form L-179
AU:F:EO 506 G

M-65-EO- 98

Pulp, Paper and Paperboard Institute (U.S.A.), Inc.
122 East 42nd Street
New York, New York, 10017

I. R. CODE	Business League
SECTION 501(C)	(6)
ADDRESS INQUIRIES AND FILE RETURNS DISTRICT DIRECTOR OF INTERNAL REV	Manhattan
ACCOUNTING PERIOD ENDING	December 31

Gentlemen:

On the basis of your stated purposes and the understanding that your operations will continue as evidenced to date or will conform to those proposed in your ruling application, we have concluded that you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above. Any changes in operations from those described, or in your character or purposes, must be reported immediately to your District Director for consideration of their effect upon your exempt status. You must also report any change in your name or address.

You are not required to file Federal income tax returns so long as you retain an exempt status, unless you are subject to the tax on unrelated business income imposed by section 511 of the Code, in which event you are required to file Form 990-T. You are required to file an information return, Form 990, annually on or before the 15th day of the fifth month after the close of your annual accounting period indicated above.

You are liable for the taxes imposed under the Federal Insurance Contributions Act (social security taxes); and for the tax imposed under the Federal Unemployment Tax Act if you have four or more individuals in your employ.

Any questions concerning excise, employment or other Federal taxes should be submitted to this office.

This is a determination letter.

Very truly yours,

Charles A. Church

Charles A. Church
District Director

c.c. to:
Mr. Delman H. Eure
Dunnington, Bartholow & Miller
161 E. 42nd St.
New York, N. Y. 10017

U. S. TREASURY DEPARTMENT
INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR

MARCH 23, 1965

IN REPLY REFER TO
FORM 2953
AU:F:506:GB

AMERICAN PAPER INSTITUTE, INC.
122 EAST 42ND ST.
NEW YORK, N.Y. 10017

DATE OF EXEMPTION	2/26/65
INTERNAL REVENUE CODE SECTION 501(C)(6)	
MATERIAL	CERT. OF CHANGE OF NAME FROM "PULP, PAPER AND PAPERBOARD INSTITUTE (U.S.A.), INC."

GENTLEMEN:

We appreciate your cooperation in submitting the above mentioned material, which we have noted on our records and made a part of our files.

In accordance with the requirements for retaining an exempt status any future changes in your character, purposes, method of operation, name or address should also be brought to our attention.

Very truly yours,

CHARLES A. CHURCH

DISTRICT DIRECTOR

FORM 2953 (10-60)

LABOR AGREEMENT

By and Between

GEORGIA KRAFT COMPANY
ROME DIVISION

and the

UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA
AFL - CIO
LOCAL UNION NO. 766

August 28, 1965

BEST COPY AVAILABLE

LABOR AGREEMENT

By and Between

GEORGIA KRAFT COMPANY
ROME DIVISION
ROME, GEORGIA

and the

INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS
AFL-CIO
LOCAL NO. 613

August 28, 1965

LABOR AGREEMENT

By and Between

GEORGIA KRAFT COMPANY

and the

UNITED PAPERMAKERS AND PAPERWORKERS

INTERNATIONAL BROTHERHOOD OF PULP, SULPHITE, AND PAPER MILL WORKERS AFL-CIO

August 28, 1965

BEST COPY AVAILABLE

LABOR AGREEMENT

By and Between

GEORGIA KRAFT COMPANY
MACON DIVISION
MACON, GEORGIA

and the

INTERNATIONAL ASSOCIATION
OF
MACHINISTS AND AEROSPACE
WORKERS
A.F.L. - C.I.O.
LODGE NO. 1034

August 28, 1965

MEMORANDUM FOR MR. DRESSNER

The Ford Foundation

March 27, 1968

The purpose of this memorandum is to outline certain legal consequences of making grants to organizations which do not have, and may not qualify for, written rulings by the Treasury to the effect that they are tax-exempt organizations described in Section 501(c)(3) of the Internal Revenue Code of 1954.

Section 501(a) of the Code exempts from Federal income tax organizations described in Section 501(c)(3); viz., organizations

> ". . . . organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes . . . , no part of the net earnings of which inures to the benefit of any private shareholder or individual . . . ."

The Foundation's Articles of Incorporation also limit the permissible operations of the Foundation to similar purposes; viz.,

> ". . . scientific, educational, and charitable purposes, all for the public welfare . . . ."

Neither the Code nor the Foundation's Articles of Incorporation require that grants be made only to organizations which have received Treasury exemption letters. Thus the Foundation is not prohibited from making such grants, and the Foundation will not for that reason alone jeopardize its tax exemption.

I understand that in the past the Foundation has limited its grants to organizations with exemption letters (or, in the case of some foreign organizations, clear proof that they would be entitled to such a letter). Since an organization which has such a letter is presumably organized and operated for exempt purposes, this policy has acted as a built-in safeguard that the grant would be used only for permissible and exempt purposes. Furthermore, it is my understanding that the Treasury's audit policy has been that it will not challenge an organization's Section 501(c)(3) exemption if that organization has made grants only to organizations with exemption

letters, regardless of whether the granted funds were in fact used for exempt purposes (assuming that the grantor organization did not have prior knowledge of a proposed non-exempt use of the grant). Thus there is a practical advantage in making grants only to grantees with exemption letters.

On the other hand, as indicated above, the Foundation is not prohibited from making a grant to anyone so long as it is made for exempt purposes. Furthermore, I understand that the Treasury's audit policy has been that it will not challenge an organization's Section 501(c)(3) exemption where grants are made to organizations without exemption letters, provided that the granted funds are in fact used for exempt purposes. In effect, the Treasury thus holds the grantor responsible for the actual application of the granted funds. In view of that policy, so long as appropriate procedures are followed to insure that any grant made by the Foundation to an organization not qualified for an exemption letter is in fact devoted to exempt purposes, there is no reason why the Foundation cannot make such a grant. If the Foundation does so, however, it should specify clearly and in detail the purposes for which the granted funds are to be used. General purpose grants to such an organization, of course, should not be made. It would also be appropriate to obligate the grantee contractually to return the amount of the granted funds to the Foundation if the terms of the grant are violated. In addition, the Foundation should have the right to monitor the use of the granted funds in order to insure to the extent possible that the granted funds are in fact used for exempt purposes.

Finally, it should be noted that the Treasury Regulations provide that

> ". . . An organization will be regarded as 'operated exclusively' for one or more exempt purposes only if it engages primarily in activities which accomplish one or more of such exempt purposes specified in section 501(c)(3). An organization will not be so regarded if more than an insubstantial part of its activities is not in furtherance of an exempt purpose." Treas. Reg. § 1.501(c)(3)-1(c)(1).

The implication of that Regulation is that an organization may devote an "insubstantial" part of its funds to non-exempt purposes without losing its Section 501(c)(3) exemption.

In the past I understand that the Treasury has followed an informal policy that if not more than ten percent of an organization's grants were to organizations without exemption letters, it would not normally question the exemption. Thus even if it turned out that certain grants made by the Foundation were not in fact used for exempt purposes, in all probability the Foundation would not be jeopardizing its Section 501(c)(3) exemption if the amount of grants so misused was minimal in relation to the total amount of grants.

Phillip R. Trimble

22

BY HAND

United States R & D Corp.
TOWER SUITE 6100 · CHRYSLER BUILDING · NEW YORK, N. Y. 10017
212 682-0284

EXECUTIVE OFFICES

July 10, 1968

What's evaluation?
Who sponsor what out?

Mr. Basil Whiting
The Ford Foundation
320 East 43rd Street
New York, New York

Dear Basil:

Enclosed you will find the revised Georgia Kraft proposal. It took a little longer than I had hoped because of Kraft's discussions with the Southern paper industry around the vehicle of funding.

While discussions are not completed, it looks quite positive and I am hopeful that the industry will sponsor the program through its non-profit arm.

In the meantime, we look forward to moving along to the final review. Needless to say, we are excited about this program since it attacks the problem of upgrading full force.

Looking forward to seeing you soon.

Sincerely,

Jonathan J. Prinz
Vice President

JJP:bc

Enclosure

cc: William F. Haddad
Robert H. Clampitt
Robert Rock

July 25, 1968

Mr. Edwin A. Locke, Jr.
President
American Paper Institute
260 Madison Avenue
New York, New York 10016

Dear Mr. Locke:

Thank you for your letter of July 23rd indicating interest on the part of the American Paper Institute in sponsoring a pilot training project to be conducted at the Georgia Kraft Company under contract to the U. S. Research and Development Corporation. We are indeed happy to learn that API will be interested in sponsoring this worthwhile project.

Before progressing any further, it would be useful for me to talk with you or your representative on this project to nail down the details of API's involvement, particularly your plans for monitoring, evaluation, and publicity.

Perhaps you or your representative could call me at 573-5047 and we could have a lunch here at the Foundation in the near future to go over these matters. I'll look forward to hearing from you soon.

Sincerely yours,

Basil J. Whiting
Assistant Program Officer

BJW:BD
Name
Chron.
C. S.
IR-3

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

DIVISION OF NATIONAL AFFAIRS
SOCIAL DEVELOPMENT

August 5, 1968

Prof. Emory Via
5710 Anchorange Avenue
Madison, Wisconsin 53705

Dear Emory:

I am sending along to you a xeroxed copy of the most recent version of U.S. R & D's proposal for an upgrading program at Georgia Kraft Company. Some additional correspondence is included.

As I mentioned on the phone, the details of Georgia Kraft's commitments to upgrading are not clear. I spent a brief two hour visit with them during a hectic day when they were involved in union negotiations. I left with a "feeling" that they were sincere and would indeed be able to upgrade the bulk of their employees with few problems either from the unions or from their supervisors. Hence, I don't think the situation is serious enough to call for you or your staff making a special trip. But if you are in the area, or it is easy to do, it would be helpful to have my "judgement" confirmed.

Many thanks.

Sincerely yours,

Basil J. Whiting

Basil J. Whiting
Assistant Program Officer

API involvement?
Cf - WDL & TEAM / for placement costs -

August 5, 1968

234-0341
232-085U

Mr. Robert Rock, Vice-President
Georgia Kraft Company
P.O. Box 1551
Rome, Georgia 30161

Dear Mr. Rock:

Many thanks for spending so much time with me during what must have been a very hectic and busy day for you. Let me also thank you for allowing me the use of your company plane. It made things much more manageable.

Now that I know what the inside of a paper mill looks like, I'll feel much more confident when I sit down with William Gittens and Floyd Flom on Thursday, August 8th, to talk about their end of the program.

Incidentally, one of our allied consultants on labor matters (who works in part for the Southern Regional Council) may be in your area sometime in early or mid-August. I hope you will be able to see him if he is able to stop by at that time.

Once again thanks and I hope to be in contact with you again soon.

Sincerely yours,

Basil J. Whiting
Assistant Program Officer

BJW:mcs
chron
name
cc: J. Prinz /USR&D
Emory Via

FIBRE BOX ASSOCIATION
224 SOUTH MICHIGAN AVE.
CHICAGO, ILLINOIS 60604
(AREA 312) 663-0250

August 6, 1968

TO FBA MEMBERS -

SPECIAL BULLETIN
EQUAL EMPLOYMENT DEVELOPMENTS

International Paper Company and the International Brotherhood of Pulp, Sulphite and Paper Mill Workers, United Papermakers and Paperworkers and the International Brotherhood of Electrical Workers have amended the seniority provisions of their labor contracts covering the company's Southern Kraft mills to assure equality in job seniority for Negro employees.

The new pact, ratified by more than a two to one (2-1) vote of the rank and file membership of fifty-two (52) locals and the three (3) unions replaces job seniority with mill seniority for determining priority when Negroes are moving into or within previously predominant white lines of progression. It also provides that transfer and advancement qualifications will be no higher for Negro employees than they were for white employees hired at the time the Negroes were hired.

It also provides that rates paid Negroes availing themselves of the new opportunities will generally be no lower than their current wage rates, regardless of the contract rate for the job into which they transfer.

Union and company spokesmen hailed the agreement "as a vindication of the collective bargaining process" and expressed hope that "future problems involving similar matters could be worked out by collective bargaining without resorting to lengthy litigation".

Secretary of Labor Willard Wirtz called the amendment of the collective bargaining agreement "a significant breakthrough in our national efforts to insure equality of opportunity for all our citizens. While equitable seniority changes have been achieved by other companies, the overriding importance of this pact is that it was reached through the vital process of collective bargaining."

Copies of the new agreement are available upon request to this office.

Sincerely yours,
FIBRE BOX ASSOCIATION

William B. Gittens

William B. Gittens, Director
Industrial Relations

Page 5 missing

FILED IN CLERK'S OFFICE
AUG 9 1968
CLAUDE L. GOZA, Clerk
By: Deputy Clerk

(3)

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ROME DIVISION

LINELL LONG, JOHNIE PINKARD, and JOE L. McELROY, Individually and on behalf of all others similarly situated,	)	
Plaintiffs,	)	
-vs-	)	CIVIL ACTION NO.
GEORGIA KRAFT COMPANY: INTERNATIONAL BROTHERHOOD OF PULP, SULPHITE AND PAPERMILL WORKERS, AFL-CIO, and its ROME, GEORGIA LOCALS NO. 804 and 805; and, UNITED PAPERMAKERS AND PAPER-WORKERS, AFL-CIO, and its ROME, GEORGIA LOCAL NO. 654,	)	2033
Defendants.	)	

COMPLAINT

I.

Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §2000e-5(f) and 28 U.S.C. §§ 2201 and 2202. This is a suit in equity authorized and instituted pursuant to Title VII of the Act of Congress known as "The Civil Rights Act of 1964," 42 U.S.C. §§ 2000e et seq. The jurisdiction of this Court is invoked to secure protection of and to redress deprivation of rights secured by (a) 42 U.S.C. §§ 2000e et seq., providing for injunctive and other relief against racial discrimination in employment and (b) 42 U.S.C. § 1981, providing for the equal rights of all persons in every state and territory within the jurisdiction of the United States. Jurisdiction of this Court is also invoked pursuant to 29 U.S.C. §§ 151 et seq., based on violations of the duty of fair representation owed to plaintiffs and the class they represent.

II.

Plaintiffs bring this action on their own behalf and on behalf of all other persons similarly situated pursuant to Rule 23 (b) (2), F.R.C.P. The class which plaintiffs represent is composed of Negro persons who are employed, or might be employed, by the Georgia Kraft Company, at its Rome, Georgia, plant, and who are members, or might become members of Local Nos. 804 and 805, International Brotherhood of Pulp, Sulphite and Papermill Workers, AFL-CIO, and/or of Local No. 654, United Papermakers and Paperworkers, AFL-CIO, which locals are in Rome, Georgia, and who have been and continue to be or might be adversely affected by the practices complained of herein. There are common questions of law and fact affecting the rights of the members of this class who are and continue to be limited, classified, and discriminated against in ways which deprive and tend to deprive them of equal employment opportunities and otherwise adversely affect their status as employees because of their race or color. These persons are so numerous that joinder of all members is impracticable. A common relief is sought. The interests of the class are adequately represented by plaintiffs. Defendants have acted or refused to act on grounds generally applicable to the class.

III.

(a) Plaintiff LINELL LONG is a Negro citizen of the United States and of the State of Georgia, residing in Rome, Georgia. He is employed by defendant Georgia Kraft Company at their Rome, Georgia, plant, and is President of Local 805, International Brotherhood of Pulp, Sulphite, and Papermill Workers, AFL-CIO.

(b) Plaintiff JOHNIE PINKARD is a Negro citizen of the United States and of the State of Georgia, residing in Rome, Georgia. He is employed at defendant Georgia Kraft Company's Rome, Georgia, plant and is a member in good standing of the

aforementioned Local 805.

(c) Plaintiff JOE L. McELROY is a Negro citizen of the United States and of the State of Alabama, residing in Coder Bluff, Alabama. He is employed at defendant Georgia Kraft Company's Rome, Georgia, plant, and is a member in good standing of the aforementioned Local 805.

IV.

(a) Defendant GEORGIA KRAFT COMPANY is a subsidiary of the Mead Corporation, with headquarters in Chillicothe, Ohio, doing business in the State of Georgia and the cities of Rome and Macon therein. The Company operates and maintains plants in Rome and Macon which manufacture container board and related products. The Company is an employer within the meaning of 42 U.S.C. §2000e-(b) in that the Company is engaged in an industry affecting commerce and employs at least 100 employees.

(b) Defendant INTERNATIONAL BROTHERHOOD OF PULP, SULPHITE AND PAPERMILL WORKERS, AFL-CIO, (hereinafter IBPS) is the certified collective bargaining agent for certain employees at Georgia Kraft's plant in Rome, Georgia. The IBPS does business throughout the United States. Its principal office is located in Fort Edward, New York. The IBPS is engaged in an industry which affects interstate commerce. It has over fifty members employed by Georgia Kraft in Rome, Georgia.

(c) Defendant Local 804 of the IBPS is the local union of the IBPS that represents white employees at Georgia Kraft's Rome plant. Its offices are in Rome, Georgia. It is engaged in an industry affecting interstate commerce.

(d) Defendant Local 805 of the IBPS is the local union of the IBPS that represents Negro employees at Georgia Kraft's Rome plant. Its offices are in Rome, Georgia. It is engaged

in an industry affecting commerce. On information and belief, plaintiffs allege that Local 305, IBPS, is not adverse to the interests of palintiffs in this action. It is named as a defendant for the purpose of bringing all parties in the Rome plant to the collective bargaining agreement between Georgia Kraft and the unions before the Court.

(e) Defendant UNITED PAPERMAKERS AND PAPERWORKERS, AFL-CIO, (hereinafter UPAP) is the certified collective bargaining agent for certain employees at Georgia Kraft's Rome plant. The UPAP does business throughout the United States. The UPAP is engaged in an industry affecting interstate commerce. It has over fifty members employed by Georgia Kraft at its Rome plant.

Any Negroes to date?

(f) Local 654 of the UPAP is the local union of the UPAP that represents white employees at Georgia Kraft's Rome plant. Its offices are in Rome, Georgia. It is engaged in an industry that affects interstate commerce.

V.

The Georgia Kraft Company maintains a pattern and practice of segregation on the basis of race in its locker room facilities in its Rome, Georgia, plant. Lockers are assigned by the defendant Company without giving a choice to the employee. As a result of the pattern and practice of said Company, all Negro employees have their lockers placed together in one room, and all white employees have their lockers together in another room. There are but a token few employees of the minority race in either locker room whose majority is made up of persons of the opposite race.

VI.

The Georgia Kraft Company maintains on its property and subsidizes through financial and other aid a recreational

p 5 is missing

IX.

As a result of Georgia Kraft's tests, only 3 Negroes have been able to gain access to skilled jobs at the Rome plant, among 296 white employees. Only 28 Negroes have gained access to semi-skilled jobs among 224 white employees. None of the 48 female employees are Negro. The plant still contains, in effect, racially separate lines of progression within departments.

X.

Said tests are not professionally developed tests within the meaning of Title VII of the Civil Rights Act of 1964. Of the three tests in Georgia Kraft's battery, one test was not validated for any jobs, and thus bears no correlation between test results and job performance. Minimum passing scores for persons who take the tests are based solely on the performance of white persons; the validating group did not and has not included members of the Negro race. Cut-off scores are not validated for Negroes. In addition, some of the skills measured by said tests are not required for numerous jobs available in Georgia Kraft's Rome plant. As a result of defendant's testing policy, Negroes are barred from admission to even those semi-skilled jobs for which they may be amply qualified.

XI.

Giving tests to Negroes, such as the named plaintiffs, who worked at the plant for many years without prior testing, discriminates unfairly against those Negroes who were employed prior to May 15, 1963, as compared to whites also hired prior to May 15, 1963. The requirements of the tests parallel the skills learned and taught in schools, not skills maintained in unskilled work at defendant's plant. Thus, those who took said tests when

cf to I-DP agreement

when fresh out of school, as did new white employees prior to May 15, 1963, have an unfair and discriminatory advantage over those who only were allowed to take the tests after being on the job for many years.

XII.

Each of the defendant local unions maintains and pursues a custom, policy, and practice of limiting and conditioning memberships on the ground of race or color, with but token integration. Said all-white unions locals have in the past and continue at the present to seek advantages for their members, at the cost and expense of the Negro members of local no. 805 IBPS. These advantages to whites include, but are not limited to, wages, hours, opportunities for promotion, and access to supervisory positions. Those jobs which are available to Negroes in the Rome plant of Georgia Kraft are, virtually without exception, lower paying than any jobs available and filled by whites in said plant, as a result of the discriminatory lines of progression agreed to and maintained in the contracts between Georgia Kraft and the defendant unions. In addition, the policy of job seniority, instead of mill seniroity, agreed to and practiced by the defendant unions and Georgia Kraft discriminates against members of the Negro race, represented by the named plaintiffs, who have been in the plant for a long period, but who, because of discrimination based on race, have been able to gain experience in only a few jobs or types of jobs; whereas, white employees and union members have been able to gain experience at many types of jobs, which experience, in turn, makes them eligible for promotion in accordingly many more types of jobs than Negroes.

Cf I-P Settlement

XIII.

Each defendant local unions and defendant Georgia Kraft have discriminated against the named plaintiffs and members of their class and race by placing white employees into the Wood Department of the Rome plant in newly created jobs as "Scalers," which jobs are more highly paid than any jobs held in said department by Negroes, and which jobs provide more rapid access to promotions than any jobs held by Negroes in said Department. Plaintiff LONG presently holds a position in said Wood Department, wherein the new white job was created. Said job was created without proper written notice to all the parties to the collective bargaining agreement, with local 805, IBPS, not being properly informed.

XIV.

Because of the customs, policies and practices of the defendant unions and Georgia Kraft, Negro employees at the Rome plant are not placed in any positions wherein they supervise any white employees. However, all Negro employees are under the direct or indirect supervision of white employees.

XV.

The failure of the defendants to actually merge or integrate formerly segregated lines of progression, which lines had been officially racially segregated prior to May 15, 1963, and specifically, the confinement of Negro employees in unskilled jobs and the refusal to allow Negro employees to move up a line of progression into functionally related jobs that had formerly been reserved exclusively to whites, or allow Negroes to supervise whites, is a discrimination against Negro employees in violation of §703(a) of the Civil Rights Act of 1964, 42 U.S.C. §2000e-2(a).

XVI.

The continuation of a promotional system which takes account only of service in a particular job and gives no credit for years of plant service favors white employees to whom higher level jobs have always been open. As such, this seniority and promotional system is intended to or has the effect of perpetuating the lesser status of Negro employees and hindering their access to higher level jobs, all of which is a discrimination against Negro employees in violation of §703(a) of the Civil Rights Act of 1964, 42 U.S.C. §2000e-2(a).

XVII.

The requirement that Negro employees seeking transfer or promotion to jobs that had been formerly reserved for white employees pass a battery of pre-employment tests that said Negro employees were not required to take prior to their entrance into the Company, and that certain whites were not required to take before said tests were introduced into the plant, constitutes a discriminatory barrier against Negro employees in violation of §703(a) of the Civil Rights Act of 1964, 42 U.S.C. §2000e-2(a). In these circumstances the tests used by Georgia Kraft are designed, intended, or used to discriminate against Negroes on account of race or color in violation of §703(h) of the Civil Rights Act of 1964, 42 U.S.C. §2000e-2(h).

XVIII.

The tests used by Georgia Kraft for new applicants and employees seeking transfer to formerly all white jobs are not professionally developed ability tests within the meaning of §703(h) of the Civil Rights Act of 1964, for the reasons stated in paragraph X, supra. Further, for the reasons stated in said paragraph X, the administration of these tests is designed, in-

tended, or used to discriminate against Negroes on account of race or color. For these reasons, the testing of new applicants and employees seeking transfer to formerly all white jobs is in violation of §703(a) and (h) of the Civil Rights Act of 1964, 42 U.S.C. §2000e-2(a), (h).

XIX.

Defendants IBPS and UPAP, and Locals 804, 805, and 654 have violated and continue to violate their duty of fair representation imposed on them by the National Labor Relations Act in that they have acquiesced and/or joined in the unlawful and discriminatory practices complained of in paragraphs V through XIV, supra, and they have failed to protect the Negro members of the Company from the discriminatory policies and practices. The Company has knowingly participated in or acquiesced in said violation of the duty of fair representation. At all times material herein, the named unions and locals have been the certified recognized representatives under the National Labor Relations Act of the plaintiffs and the class they represent, and, as such, have had the duty to impartially and fairly represent the interests of plaintiffs and their class.

XX.

All of the discriminations complained of herein are ongoing and continuous in their effect upon plaintiffs and their class.

XXI.

4/22/66 Complaints Initiated with EEOC

(a) On or about April 22, 1966, within 90 days of being discriminated against, named plaintiffs LONG and PINKARD filed written complaints, under oath, with the Equal Employment Opportunity Commission, charging discrimination in testing and promotion against the Georgia Kraft Company. On or about March 6, 1968, said plaintiffs were notified that the Commission found

3/6/68 ~~Probable~~ reasonable cause

Notice 7/13/68 Had complained not achieved

reasonable cause to believe that defendant Georgia Kraft Company had committed a violation of the Act. On or about July 13, 1968, plaintiffs LONG and PINKARD received letters from the Commission advising that defendant's compliance with Title VII had not been accomplished by conciliation and that they had the right to sue in the appropriate Federal District Court within 30 days after receiving said suit letter.

(b) On or about May 25, 1968, within 90 days of being discriminated against, named plaintiffs LONG, PINKARD, and McELROY, among others, filed a written complaint, under oath, with the Commission alleging denial by all of the defendant unions, locals, and Company of their rights under Title VII of the Civil Rights Act of 1964, 42 U.S.C., §2000e et seq. On or about July 29, 1968, after the Commission had been in possession of the written complaint for over sixty days, the named plaintiffs notified said Commission of their desire to receive a suit letter prior to 30 days from July 13, 1968, so as to avoid a multiplicity of law suits. On or about July 31, 1968, said Commission sent a letter authorizing suit within 30 days to each of the named plaintiffs.

(c) Neither the State of Georgia, the State of Alabama, nor the City of Rome, Georgia, has a law prohibiting the unlawful employment practices complained of herein.

XXII.

Plaintiffs and their class have no plain, adequate, or complete remedy at law to redress the wrongs alleged herein, and this suit for a preliminary and permanent injunction is their only means of securing adequate relief. Plaintiffs and the class they represent are now suffering and will continue to suffer irreparable injury from all the defendants' policies, practices, customs, and usages as set forth herein.

WHEREFORE, plaintiffs pray that this Court advance the case on the docket, order a speedy hearing at the earliest practicable date, cause this case to be in every way expedited, and upon such hearing to:

1. Declare that the acts or failures to act complained of in paragraphs XV through XIX, supra, are unlawful;

2. Grant to the plaintiffs and their class a preliminary and permanent injunction enjoining defendants, their agents, successors, employees, attorneys, and those in active concert and participation with them from:

a. Requiring that Negro employees seeking promotion or transfer and/or applicants for employment to pass a test or tests, except insofar as any such test or tests have both been validated for a particular job through a professionally supervised study and been approved by the Court as complying with §703(a) and (h) of the Civil Rights Act of 1964, 42 U.S.C. §2000e-(a), (h);

b. Requiring that Negro employees seeking transfer or promotion to jobs formerly reserved for white employees pass any test which any present white holders of such jobs were not required to pass, or any test that was not required of them because of their race or color at the time of employment;

c. Utilizing a promotion system that takes into account only service on a particular job, and more particularly, from failing or refusing to adopt a nondiscriminatory promotion system based on total years of plant service;

d. Maintaining segregated locker room facilities;

e. Maintaining the Craftsman's Club on a segregated basis;

f. Refusing to allow Negro employees to hold any positions wherein they supervise white employees;

g. Maintaining separate lines of progression, on the basis of race, within departments of the plant;

h. Maintaining union membership in locals on the basis of race or color;

i. Entering into any contract or contracts which discriminate against any class or group of employees on the basis of their race or color;

j. Continuing or maintaining any other policy, practice, custom, or usage which is intended to or has the effect of denying, abridging, withholding, conditioning, limiting, or otherwise interfering because of their race or color, with the full rights of plaintiffs and their class to enjoy equal employment opportunities;

k. Failing to represent, timely notify, or properly grieve on behalf of any individual or group on the basis of race or class; and,

3. Award to each of the named plaintiffs back pay equivalent to the difference between the wages they have earned in their present jobs from the time that they were first discriminated against in their attempts to advance to formerly all white jobs and the wages that they would have earned in said white jobs, from the time of the discrimination against them until the resolution of this suit;

4. Award to the named plaintiffs herein their costs, including a reasonable attorney's fees as provided for in §703(k) of the Civil Rights Act of 1964, 42 U.S.C. §2000e-5(k);

5. Grant any such other relief as is meet and proper under the circumstances.

Howard Moore Jr.

HOWARD MOORE, JR.
PETER E. RINDSKOPF
859 1/2 Hunter Street, N.W.
Atlanta, Georgia 30314

JACK GREENBERG
CABRELLE A. KIRK
10 Columbus Circle
New York, New York 10019

ATTORNEYS FOR PLAINTIFFS

N. A. A. C. P. LEGAL DEFENSE AND EDUCATIONAL FUND, INC.

10 Columbus Circle, New York, N. Y. 10019

JUDSON 6-8397

HON. FRANCIS E. RIVERS
President

JACK GREENBERG
Director-Counsel

JAMES M. NABRIT, III
Acting Associate Counsel

August 14, 1968

Mr. Basil Whiting
The Ford Foundation
320 East 43rd Street
New York, New York

Dear Mr. Whiting:

In response to my request last week, my regional staff members have sent me information on the Georgia Kraft Corporation. Some of the material is not completely clear. Some joint ownership of plants is involved, apparently a not uncommon phenomenon, but it raises questions about which home office is really responsible for policy.

Georgia Kraft Corporation is jointly owned, 50% by Inland Container Corporation (120 East Market Street, Indianapolis, Indiana) and 50% by Mead Corporation (118 First Street, Dayton, Ohio). Some information about these corporations is enclosed.

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Georgia Kraft has two large plants. The mill in Macon (Bibb County) has a pulp capacity of 825 tons per day. Apparently, it has had no major expansions in the past two years and has announced no plans. The other mills in Bibb County are planning extensive expansions. Armstrong Cork Company, whose mill in Bibb County has a daily pulp capacity of 400 tons, announced in 1966 that it was making one of the largest expansions in its history. The expansion of its fiberboard mill in Macon

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will increase production 50%. Late in 1967 Packaging Corporation of America's plant for manufacturing molded pulp products went into production. Earlier this year, it was announced that there would be a $2.2 million expansion of the plant. The expansion will be financed by a revenue bond issue of the Macon-Bibb County Industrial Authority and is to be completed in 1969. I mention developments in these other mills because factors affecting Georgia Kraft's competitive situation may have some impact on the firm's decision to upgrade its workers. Bibb County's population was 141,249 in 1960 of which 33.4% were Negroes. About 27.8% of the families have incomes less than $3000. Population increased 23.8% between 1950-1960.

Georgia Kraft has a mill in Rome (Floyd County) which has a pulp capacity of 1500 tons per day. In the fall of 1967 it constructed a research and development unit adjacent to its headquarters and mill. No new expansions have been announced. The population of Floyd County in 1960 was 69,130 of which 14.3% were Negroes. About 28.5% of the families in the County have incomes less than $3000 annually.

Brunswick Pulp and Paper Company which is an affiliate of both the Mead Corporation and Scott Paper Company has a mill in Glynn County which produces 1120 tons of pulp per day. An editorial in the industry journal Pulp and Paper shortly after the assassination of Martin Luther King referred to Brunswick, Georgia as a "model example of how race problems can be solved" and mentioned that the paper industry had played an important role in this. However, no details were given.

Alabama Kraft is a division of Georgia Kraft. It has an 800 ton per day mill in Cottonton, Alabama, about 30 miles south of Phenix City. We also have the following information about a mill located in Mahrt, Alabama, but I believe it is the same facility as the one identified at Cottonton.

> Mahrt, Alabama. Early in 1967 Alabama Kraft Company began operation of its high speed containerboard machines. The capacity of the new mill is 800 tons per day of unbleached containerboard. It contains a number of innovations, making it one of the more modern mills in the pulp and paper industry. The cost of the mill was $45 million.

Our committee in Phenix City has had difficulty in getting black employees upgraded at this plant. My staff member reports that the company's image in the surrounding community is not good. He also reported that Alabama Kraft had a strike from March to May. Results were negligible.

Mead has a 540 ton per day mill in Chillicothe, Ohio, an 180 ton pulp mill in Harriman, Tennessee, a 260 ton mill in Kingsport and an 180 ton mill in Lynchburg, Virginia. In March 1967 Mead expressed an interest in establishing a facility in Calhoun Falls, South Carolina. At the same time, it announced a $2.5 million expansion program at its plant in Sylvia, South Carolina.

I have just learned that Legal Defense Fund attorneys filed suit on August 9 against the Georgia Kraft Company and the labor unions in its Rome, Georgia facility. A copy of the complaint is enclosed. Our Georgia and New York attorneys are now consulting together about the suit. The complaint will probably be amended but the basic issue of discrimination which the Equal Employment Opportunity Commission verified and was unable to resolve seems clear. Georgia Kraft practices discrimination in its hiring, assigning and upgrading of employees, participates with unions in a discriminatory seniority system and has a testing program which has effectively barred Negroes from entry level as well as advanced positions. Apparently, some facilities in the plant are segregated.

The investigations by Federal enforcement officials and the threat of legal action have undoubtedly contributed to the firm's decision to launch the program to train 100 Negro workers who are considered to be difficult to upgrade. To be effective the program in which you are interested must be part of a total approach to the problem of completely reorganizing the employment structure in the Georgia plants.

Elsewhere in the South the combination of pressure from Federal agencies and legal action by private parties is resulting in agreements which offer promise that employment patterns in pulp and paper plants can be changed. There are now precedents which Georgia Kraft can follow if management sincerely wishes to offer equal employment opportunity to black workers. However, if the firm is embarking upon a token training project as a substitute for a genuine effort to eliminate all vestiges of discrimination, then this should be exposed as such.

We will be glad to keep in touch with you as legal action proceeds. Meanwhile, we would be interested in knowing what you can tell us about the arrangement which Georgia Kraft has worked out with MIND for this training project.

Sincerely,

JF/11

Enclosures

cc: Mr. Emory Via

Jean Fairfax, Director
Division of Legal Information
and Community Service

bcc: Gabrielle Kirk, Esq., Howard Moore, Esq., Mr. Allen Black, Mr. Michael Bruland (w/encls.)

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

DIVISION OF NATIONAL AFFAIRS
SOCIAL DEVELOPMENT

August 20, 1968

Miss Jean Fairfax
NAACP Legal Defense and Educational Fund, Inc.
10 Columbus Circle
New York, New York 10019

Dear Miss Fairfax:

Many, many thanks for the information you sent to me in response to my questions about Georgia Kraft Corporation. I am sure it will prove very useful as we decide whether to continue with this potential grant.

Georgia Kraft's arrangement with MIND is an indirect one. It is my understanding that Georgia Kraft's interest in this upgrading program was piqued by William Haddad's U.S. Research & Development Corporation (Tower Suite 6100, Chrysler Building, New York, Phone-682-0284), which was running an employment program in Laurens, South Carolina. In a trial move Georgia Kraft sent four employees at full company expense to Laurens to take part in a basic education and counseling/motivational program. The results with these four men were so impressive in terms of reading and mathematical scores and in terms of job attitudes, that the company worked out an agreement with U.S. R & D to train 135 Negro employees who now cannot pass the company's test and enter lines of progression. The total cost per trainee for the U.S. R & D program is around $1200. The company will pay $200 of this plus provide facilities for the training. The training would take place before or after the work shifts (and on the employee's own time). Georgia Kraft "guarantees" to upgrade every man who completes this program and meets the (I understand) more reasonable requirements of their newly validated testing program.

U.S. R & D has for some time used the MIND system for its basic education instruction. I understand, however, that they are developing their own such system and will eventually phase out of the MIND program.

I hope that this answers your questions. If not, please call me at any time. Once again, thank you for your assistance.

Sincerely yours

Basil J. Whiting
Assistant Program Officer

cc: Emory Via

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

DIVISION OF NATIONAL AFFAIRS
SOCIAL DEVELOPMENT

August 19, 1968

Prof. Emory Via
c/o Southern Regional Council
5 Forsythe St., NW
Atlanta, Georgia

Dear Emory:

Enclosed is a copy of Jean Fairfax's letter to me and the complaint filed by the NAACP Legal Defense Fund against Georgia Kraft. Also enclosed is a copy of my letter responding to hers.

I am very glad you will be able to check into this situation for us during the last week of August. The mere fact of this suit does not predispose us one way or the other regarding the proposed grant, but we do have to check into the situation much more closely since this suit raises serious allegations. Georgia Kraft may, of course, have contrived this upgrading program as a tactic in their legal battles. Assuming that the program itself is good, there is nothing wrong with their doing that as long as proper attitudes and intentions exist and progress is possible on the other matters raised in the suit, (if true).

My visit to Georgia Kraft was all too brief, but the officers certainly did not strike me as red-necks and the program looks good. I further understand that during my visit Georgia Kraft was in the process of negotiating new contracts with the pertinent unions and was seeking a change from job to plant seniority for the negroes who would be moved by this training program out of the labor pool and the wood lot into lines of progression. I further understand that Georgia Kraft's tests have all been completely revalidated and the cut-off scores reduced substantially (but I do not know the details on this). If all this is true, then it seems to me that the worst of the allegations in the suit (discriminatory testing and seniority systems), are being adequately dealt with.

Beyond these matters, it would certainly be helpful to know a bit more of the background of the suit and, in particular, why conciliation failed. The story on segregated locker room and recreational facilities ought to be easy to come by. The other areas of concern (segregated lines of progression, union discriminatory practices, a lack of negroes in supervisory positions, and the creation of new jobs for whites in the wood lot) are clear in the complaint.

We will certainly appreciate any information you can provide on these matters. Some time ago I mentioned to Robert Rock at Georgia Kraft that you or a colleague might stop by. I'll be happy to further pave the way with a direct phone call if you think that would be helpful.

Many thanks for your help.

Sincerely yours,

Baze

Basil J. Whiting
Assistant Program Officer

encl

Legal Defense Fund

NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.
10 Columbus Circle, New York, N.Y. 10019 • JUdson 6-8397

AUG 15 12 41 PM '68
THE FORD FOUNDATION

August 14, 1968

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New York, New York

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Our committee in Phenix City has had difficulty in getting black employees upgraded at this plant. My staff member reports that the company's image in the surrounding community is not good. He also reported that Alabama Kraft had a strike from March to May. Results were negligible.

Mead has a 540 ton per day mill in Chillicothe, Ohio, an 180 ton pulp mill in Harriman, Tennessee, a 260 ton mill in Kingsport and an 180 ton mill in Lynchburg, Virginia. In March 1967 Mead expressed an interest in establishing a facility in Calhoun Falls, South Carolina. At the same time, it announced a $2.5 million expansion program at its plant in Sylvia, South Carolina.

I have just learned that Legal Defense Fund attorneys filed suit on August 9 against the Georgia Kraft Company and the labor unions in its Rome, Georgia facility. A copy of the complaint is enclosed. Our Georgia and New York attorneys are now consulting together about the suit. The complaint will probably be amended but the basic issue of discrimination which the Equal Employment Opportunity Commission verified and was unable to resolve seems clear. Georgia Kraft practices discrimination in its hiring, assigning and upgrading of employees, participates with unions in a discriminatory seniority system and has a testing program which has effectively barred Negroes from entry level as well as advanced positions. Apparently, some facilities in the plant are segregated.

The investigations by Federal enforcement officials and the threat of legal action have undoubtedly contributed to the firm's decision to launch the program to train 100 Negro workers who are considered to be difficult to upgrade. To be effective the program in which you are interested must be part of a total approach to the problem of completely reorganizing the employment structure in the Georgia plants.

Elsewhere in the South the combination of pressure from Federal agencies and legal action by private parties is resulting in agreements which offer promise that employment patterns in pulp and paper plants can be changed. There are now precedents which Georgia Kraft can follow if management sincerely wishes to offer equal employment opportunity to black workers. However, if the firm is embarking upon a token training project as a substitute for a genuine effort to eliminate all vestiges of discrimination, then this should be exposed as such.

We will be glad to keep in touch with you as legal action proceeds. Meanwhile, we would be interested in knowing what you can tell us about the arrangement which Georgia Kraft has worked out with MIND for this training project.

Sincerely,

Jean Fairfax

Jean Fairfax, Director
Division of Legal Information
and Community Service

JF/11
Enclosures

cc: Mr. Emory Via

August 20, 1968

AMERICAN PAPER INSTITUTE
PROPOSED ACTIVITIES IN CONNECTION WITH
U. S. RESEARCH & DEVELOPMENT CORPORATION
PILOT PROGRAM TO UPGRADE EMPLOYEES OF
PULP, PAPER & PAPERBOARD INDUSTRIES

MONITORING

The API will maintain close contact with representatives of U. S. Research & Development Corporation and the Industrial Relations and Personnel officials of the company to be used for the pilot program. The API will arrange for periodic progress reports from the Program Director showing achievements to date and will forward these to the Ford Foundation. After employees have completed the program, API will arrange for the employing companies to keep track of their progress in the various lines of progression and to follow up on their job performance at regular intervals over a period of two years.

EVALUATING

The API will engage industry training expert, Dr. Joseph M. Rich, Manager, Personnel Resources, St. Regis Paper Company, and Dr. Herbert R. Northrop, Chairman, Department of Industry, Wharton School of Finance and Commerce, University of Pennsylvania, or an acceptable training and manpower expert to evaluate the success of the program. These men will make periodic reviews of the training as it progresses and furnish written reports to the API of their respective views on the program's values and accomplishments.

PUBLICIZING

As soon as the program begins, API will announce it to industry members through its Semimonthly Labor Report. The API will send to the trade, business and general press, press releases approved by the pilot company, U. S. Research & Development Corporation, and by the Ford Foundation. As the program progresses, additional press releases will be issued to the same media. Upon completion of the program roundup stories, detailing its achievements will be issued to all media with efforts being made to have these featured in general business as well as trade and professional publications.

Steps will be taken to interest the American Management Association, American Society for Training and Development, American Society of Trade Association Executives, National Association of Manufacturers, U. S. Chamber of Commerce and other trade organizations to advise their members of this program and its success.

A representative of the U. S. Research & Development Corporation is scheduled to describe the project at a meeting of 100 Industrial Relations and Personnel officials of the Southern Paper Industry in Atlanta, Georgia, early in October, 1968. A similar presentation will be made in March, 1969 at the 9th API-FBA Personnel Relations Conference, to be attended by over 250 top Personnel, Industrial Relations and Training Officials of Pulp, Paper and Paperboard companies from the entire United States. Talks on the program, its progress and success will

be made by API staff members at various membership and division meetings held during the next twelve months.

REC'D 8/21/68

MEMORANDUM

TO: Jean Fairfax

FROM: Mike Bruland

RE: Further Information on Pulp and Paper Companies

The following information concerning Scott Paper Company came in an article in the August 12, 1968 issue of "Paper Trade Journal:

> Scott Paper Co. has initiated an equal employment action program designed to help eleviate the job-finding and job-advancement problems of minority groups in the Chester, Pa. area
>
> It is expected to cost more than $100,000 in Scott and federal funds. The plan was revealed by Robert L. Thomson, Chester plant personnel manager, who said it involves three basic educational and training programs to be conducted at the company's Chester complex.
>
> In making the announcement Mr. Thomson pointed out that in addition to the $100,000 funded program, Scott also will absorb the man-hour costs in salaries paid to those employees who will be trained on company time. He estimated this additional cost at approximately $25,000.
>
> Scott will hire and provide special training for 30 disadvantanged persons for whom job entry qualifications will be waived. This program is under the auspices of the National Alliance of Businessmen, a partnership of industry and government aimed at finding permanent jobs for the hard-core unemployed, as well as summer employment for high school youth.
>
> The 30 employees will receive a nine-week on-the-job training program which will be conducted on company time by the nationally recognized Board for Fundamental Education. It is scheduled to begin on October 1, Mr. Thomson said.
>
> Another program will provide 150 hours each of fundamental education for 100 current Scott employees. Conducted at no cost to the employees and on their free time, it will be voluntary and designed to upgrade their educational level so they can improve job skill and advancement opportunities within the plant.
>
> In a third program, according to Mr. Thomson, 250 plant supervisor and union leaders will each receive 16 hours of training in specialized skills and leadership techniques so they will better understand and work more effectively with culturally disadvantaged employees.

Scott Paper Company has a pulp and paper mill in Mobile, Alabama. It, together with the Mead Corporation, owns Brunswick Pulp and Paper Company, which has a mill in Brunswick, Georgia.

It may be of some importance to note the fact that William Mizer, president of Hudson Pulp and Paper Company, which has a mill in Palatka, Florida, is a part of a group of businessmen who have come out in support of Senator Eugene McCarthy for President. The following company officials have come out for Nixon: G. Keith Funston, Chairman of Olin Mathieson Chemical Corporation; Robert V. Hansberger, President

of Boise Cascade; and David L. Luke III, President of West Virginia Pulp and Paper Company.

LABOR AGREEMENT

By and Between

GEORGIA KRAFT COMPANY

and the

UNITED PAPERMAKERS AND
PAPERWORKERS

INTERNATIONAL BROTHERHOOD
OF PULP, SULPHITE AND
PAPER MILL WORKERS

AFL-CIO

Rcvd
1
Incor

August 28, 1960

GEORGIA KRAFT COMPANY

ROME DIVISION

ROME, GEORGIA 30161

September 21, 1968

TO: ALL KRAFTSMEN

FROM: DOYLE F. DYKES

As most of you know, the Krannert Division of Georgia Kraft Company is at present a party to a federal court lawsuit involving the interpretation of the 1964 Civil Rights Act. The International Brotherhood of Pulp, Sulphite and Papermill Workers AFL-CIO and it's locals 804 and 805, and the United Papermakers and Paperworkers AFL-CIO and it's local #654 have also been named as parties to the suit brought by three individual employees.

The parts of the law being questioned in this suit pertains to employee testing, seniority and to certain other matters.

This Company is fully committed to equal opportunity and treatment for all its employees and applicants for employment. Our present procedures for testing both employees and applicants for employment as well as our seniority policies are tailored to meet the needs of our operations and are applied in what we believe to be a completely non-discriminating fashion.

We have no resentment toward the employees who brought this suit. We do not, however, agree with some interpretations being made of the 1964 Civil Rights Act. The suit, therefore, is serving a constructive purpose; namely, determining through the courts the legal interpretation and how to apply the sections of the Act involved.

Along with these employees, we share a mutual respect in the integrity of our courts to interpret the law and we expect to abide by the interpretation as ruled upon by these courts.

It is impossible to predict when the court will render its ruling or what that ruling will be; therefore, Georgia Kraft Company will continue to be guided by its policy of May 15, 1963, in which is stated:

> "It is the policy of Georgia Kraft Company not to discriminate against any employee or applicant for employment because of race, color, creed or national origin."

I will try to keep you informed on any major developments on this subject.

Doyle F. Dykes

Doyle F. Dykes

As previously reported in this newspaper, a suit has been filed charging Georgia Kraft Company with violation of the Civil Rights Act of 1964.

In an exclusive interview with this newspaper today, Doyle F. Dykes, Krannert Division Manager for Georgia Kraft Company, stated that "the Krannert Division of the Company, two international unions and three local unions have been named by three individual employees as parties to a federal court lawsuit involving interpretation of the 1964 Civil Rights Act."

According to Dykes, the interpretation being questioned in this suit pertains to employee testing, seniority and to certain other matters.

Stating the Company's position, Mr. Dykes continued: "This Company is fully committed to equal opportunity and treatment for all its employees and applicants for employment. Our present procedures for testing both employees and applicants for employment as well as our seniority policies are tailored to meet the needs of our operations and are applied in what we believe to be a completely non-discriminating fashion.

"We have no resentment toward the employees who brought this suit. We do not, however, agree with some interpretations being made of the 1964 Civil Rights Act. The suit, therefore, is serving a constructive purpose; namely, determining through the courts the legal interpretation and application of the sections of the Act involved.

"Along with these employees, we share a mutual respect in the integrity of our courts to interpret the law and we expect to abide by the interpretation as ruled upon by these courts.

"It is impossible to predict when the court will render its ruling or what that ruling will be; therefore, Georgia Kraft Company will continue to be guided by its policy of May 15, 1963, in which is stated:

> 'It is the policy of Georgia Kraft Company not to discriminate against any employee or applicant for employment because of race, color, creed or national origin.'"

September 27, 1968

Mr. Robert Rock
Vice-President for Industrial Relations
Georgia Kraft Company
P. O. Box 1551
Rome, Georgia 30161

Dear Mr. Rock:

This is a belated message to thank you for your time and the information which you supplied me when we met in your office on September 11.

Mr. Whiting's schedule was such that there was some delay in his getting my report, but he now has it. I trust all goes well.

Look forward to seeing you again.

Sincerely,

Emory F. Via, Director
Labor Education Project

EFV/km

30 Sep 1968

EDITORIAL

Bill Gates

per yr request

RECEIVED
OCT 9 9 42 AM '68

Enc { APL
USR+D
Go Kraft
Gte

Merit found in different approaches to jobless crisis

The extent to which many companies in this industry already have succeeded in turning hard core unemployed Negroes into future *taxpayers* instead of dependents on *your* tax dollars is little known. I thought I had done "my homework" on this subject but must confess the result of an informal survey I made of 20 leading companies is amazing. Some are carrying on really meaningful programs of education and training without one penny of federal money and in other cases there has been partial government assistance and money from Ford Foundation and other private donors.

Our supervisors and foremen and union leaders must realize this is a brand new ball game. Companies can't do the job without the understanding and the willingness of their supervisors, as well as the unions, to tackle the problem. Companies must give special training to supervisors, on company time, to pass on instruction and counsel to the disadvantaged and unemployed. To protest that this is costly and lowers productiveness by diverting these men from their jobs is nonsense. How do employees become supervisors without training and guidance? Besides, government subsidies are available. The Department of Labor allotted $135,000 recently to three paper mills for training programs. The hard core jobless will receive pre-vocational training (attitudinal, motivational, remedial basic education) as well as on-the-job training and counseling. Of course it's not going to be easy. Some jobless don't even own an alarm clock; never had to be anywhere on time. To date, one paper company has pledged 80 needy youth jobs and 83 basic jobs to blacks in four mills and its R&D division. But to make room for them, present employees need help and the opportunity to move up. In a big eastern paper mill, a $30,000 program aims at upgrading the literacy level of 100 white and non-white employees. Says Earl Sayers, Plymouth, N.C., superindendent: "Don't think southerners who don't go far in school aren't smart. Many learn faster than others; they are anxious to make up for what they missed."

One of the most heartening results of the tragic violence and destruction publicized in the press and on the air is the reaction of many *individual* mill workers. They want to become involved—to do something on their own for minorities in their paper mill towns. Not only in the mills, but through their churches, clubs and schools. This emergence of outspoken and personal awareness and desire to help doesn't make the headlines. But it will go far to offset destructive reactions of "militant" blacks and whites. Not least of all, it means a more stable business climate in scores of mill towns.

In all fairness to this industry, it should be recognized that two different approaches can be taken to promote employment and advancement of blacks. At least three large paper companies have received orders from the Equal Employment Opportunity Commission to eliminate all job standards and change from departmental to plant seniority. But that isn't necessarily the best approach. Georgia Kraft Co. has taken a different one. Through the U.S. Research and Development Corp. in Atlanta, a private organization, it is educating Negroes so they can pass present job standards and advance in the mills. Already, four Negroes have attended a six weeks' course in this school in Atlanta and similar instruction is being provided in mill headquarters in Rome, Ga. The Ford Foundation thinks well enough of this approach to give $150,000 to William Haddad, chairman of chief executive of USR&D Corp., to promote it. Clifford L. Alexander, EEOC chairman, should give it a fair trial in the pulp and paper industry, as an alternative to his order, under which the underprivileged might fail anyway. This pre-job training might prevent failures. (*More next week.*) □

Albert W Wilson

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

HOWARD R. DRESSNER
SECRETARY

November 15, 1968

Dear Beth:

Mike Sviridoff and I will be at your office at 9:30 a.m., Monday, November 18. The background and purpose of our meeting are as follows:

Section 501(a) of the Internal Revenue Code of 1954 exempts from Federal income tax organizations described in Section 501(c)(3), namely, organizations

> "....organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes..., no part of the net earnings of which inures to the benefit of any private shareholder or individual...."

To the present, the Foundation's policy has been to limit its grants, in the case of domestic organizations, to organizations with Treasury exemption letters. Since an organization which has such a letter is presumably organized and operated for exempt purposes, this policy has acted as a safeguard that the grant would be used only for such purposes.

It should be noted that our practice to date has been the Foundation's own policy decision. Neither the Internal Revenue Code nor the Foundation's Articles of Incorporation require that grants be made only to organizations which have received Treasury exemption letters. Thus, so far as we can determine and according to an earlier opinion of counsel (see attached), the Foundation is not prohibited by law from making a grant to a non-501(c)(3) organization provided it is made for 501(c)(3) purposes. The point is underscored by a recent Revenue Ruling (68-489) which holds that

> grants for "501(c)(3) purposes" to organizations which do not have Treasury rulings indicating they are tax-exempt under 501(c)(3) will not jeopardize the grantor's exemption provided the grantor "maintains control and discretion as to the use of the funds" together with appropriate records.

The question is whether, in the light of this new Revenue Ruling (attached), the Foundation's Trustees should approve a change in policy which will permit the Foundation to make grants to non-501(c)(3) organizations for 501(c)(3) purposes.

A case in point is a proposed grant of $141,000 to the American Paper Institute for a demonstration training program to upgrade employees of a Southern paper mill. (The recommended action is appended as Attachment A.) Though the American Paper Institute is not a 501(c)(3) organization, there is little doubt that the purpose for which the proposed grant is intended is a 501(c)(3) purpose.

Were the Trustees to approve such a change in policy, it would be the Foundation's practice to have counsel review proposed grants to non-501(c)(3) organizations in cases where there was a serious doubt as to whether the grant purpose was a "501(c)(3) purpose."

Mike and I would like to discuss the pro's and con's of a policy change in this regard and to have the benefit of your views and counsel.

Sincerely,

Mr. Bethuel M. Webster
Webster Sheffield Fleischmann
Hitchcock & Brookfield
1 Rockefeller Plaza
New York, New York 10020

Attachments

WEBSTER SHEFFIELD FLEISCHMANN HITCHCOCK & BROOKFIELD
1 ROCKEFELLER PLAZA • NEW YORK, N.Y. 10020

November 18, 1968

The Honorable Charles E. Wyzanski, Jr.
United States District Court
Boston, Mass. 02109

Dear Charlie:

I am sending you some papers which Max Kempner and I have just discussed with Mike Sviridoff and Howard Dressner.

The proposed grant to the American Paper Institute, a 501(c)(6) organization, was discussed at the recent Executive Committee meeting which you were unable to attend. According to Howard, Mac Bundy and John Cowles felt that, although the purpose of the grant--"A demonstration training program to upgrade employees of a Southern paper mill"-- is consistent with our charter and with a decision taken by the Board at its September 1967 meeting, a departure from the policy of making grants only to 501(c)(3) organizations should be discussed with you and me.

I said that I felt that the proposal should be considered at the December meeting--this on the basis of an expanded description of the program, supported by an agreement in writing with the Paper Institute, a letter of recommendation from Emory Via of the Southern Regional Council, a detailed description of the role of United States Research and Development Corporation, etc. Howard will send copies of the expanded description to all Trustees before the December meeting.

My own feeling is that, for the present, any non-501(c)(3) grants should be reviewed by counsel, and in case of serious doubt be submitted to the Board or Executive Committee. The Foundation must of course, as the enclosed ruling indicates, retain sufficient control and discretion as to the use of funds to be satisfied that the grant is used for 501(c)(3) purposes.

Yours,

COPY

cc Messrs. Sviridoff

BEST COPY AVAILABLE

DRAFT

THE FORD FOUNDATION

Inter-Office Memorandum

TO: Mr. McGeorge Bundy

DATE: November 19, 1968

COPY TO:

FROM: Howard Dressner

SUBJECT: Meeting with Beth Webster re: grants to non-501(c)(3) organizations

Mike Sviridoff and I met with Beth Webster yesterday regarding a possible change in Foundation policy that would permit our making grants to non-501(c)(3) organizations.

The particular case in point was the proposed grant to the American Paper Institute, a 501(c)(6) organization.

We discussed the pro's and con's of changing the present policy. Beth agreed that there was no legal bar to our making grants to non-501(c)(3)'s for "501(c)(3) purposes." Further, he expressed the view that cases might arise from time to time in which there were cogent reasons for making grants to non-501(c)(3)'s; at the same time, he felt we should not make such grants as a general practice but only as rare exceptions to the general rule.

He regarded the American Paper Institute proposal as one which probably justified our making an exception but asked that the write-up be strengthened to show why an exception was warranted and the special steps that would be taken to monitor the grant closely. He suggested that Mike ask the American Paper Institute for a letter agreeing specifically to the plan and to its obligations under the plan.

Beth agreed that it would be desirable to submit the proposal to the Board in December so that the 501(c)(3) policy might be thoroughly discussed and the reasons for an occasional exception thoroughly understood.

Finally, Beth indicated he would write to Judge Wyzanski setting forth the problem and his own views on how to deal with it.

HD/dlg

Mike Sviridoff
Howard Dressner

November 22, 1968

Basil Whiting

American Paper Institute Grant

So that we won't be caught unprepared, we ought to double-check the points Beth Webster and others raised on this grant and see if we have them adequately covered:

1. Mr. Webster asked (in his letter of Nov. 18) for:

   a. "...an expanded description of the program...." This is in your hands.

   b. "...supported by an agreement in writing with the Paper Institute...."

   We have a signed letter with a detailed attachment on API's role. Is that an adequate "agreement" ? Or do we need something more formal ?

   c. "...a letter of recommendation from Emory Via of the Southern Regional Council...." This is forthcoming, though it will be a report with conclusions, not recommendations.

   d. "...a detailed description of the role of United States Research and Development Corporation...." We have a detailed proposal and budget from them which covers this. (They are profit-making, by the way, and part of the fee they will charge API will go for profit), though they are doing this cheaper than normal and under incentive payment factors which could backfire and hurt them).

2. Mr. Trimble's memo discusses "....appropriate procedures....to insure that any grant....is in fact devoted to exempt purposes...." He suggest the following:

   a. "The Foundation should specify clearly and in detail the purposes for which the granted funds are to be used..." We have the detailed proposals from API and U.S. R&D and they will be incorporated into the grant letter by reference. In light of the tax situation, do we need to go beyond this by including more explicit treatment in the grant letter... or by some more formal "agreement" than the detailed proposals and correspondence ?

c. ".....the right to monitor the use of the granted funds....." Emory Via has agreed to do this for us; and while we don't have anything in writing which says API will let us monitor them, I can't conceive of their not doing so. I'm sure they will cooperate fully. We can mention this in the grant letter.

3. It might be useful, both from our standpoint and to help our monitor, Dr. Via, to have a statement from our lawyers of some of the things API, as a Business League exempted under 501 (c) (6), should not do in connection with this grant. What are the borderline areas where we might get into trouble? (They exist to improve the image of the industry, while one of the purposes of this grant is to publicize the results of the demonstration-- we've included $ 4,000 for evaluation and printing. Are there areas of potential conflict here?)

4. We don't have a letter from Mr. Rock at Georgia Kraft guaranteeing that these trainees will be promoted-- that would be hard to do anyway. Their normal promotional procedures (stated in union contracts in our possession) should take care of that. Beyond that, I think we have to rely on the good faith and common sense of the Company not to pull any hanky=panky when this program places them in the spotlight.

File Ford
Ga Kraft

November 27, 1968

Mr. Basil Whiting
The Ford Foundation
302 East 43rd Street
New York, New York

Dear Basil:

This letter will summarize my response to my visit with Mr. Robert Rock, Vice President of Georgia Kraft and several other persons in Rome and Atlanta regarding the proposal for upgrading under-employed workers.

It seems to me that there are two questions on which my comments might prove helpful. One relates to my judgment of the Company's good faith and the other has to do with whether the proposed training will interfere with the pending court case. Briefly, I think that the company is acting in sufficient good faith to justify the project, and that the project should not in anyway interfere with the court case.

I talked at length with Mr. Rock and was pointed in my questions and comments, although careful to separate what was germane to the proposed project from my private observations. There is little doubt in my mind that the company could have been further along in the process of

desegregating jobs including making use of current employees. Some of these employees need only a moderate amount, if any, training to qualify for better jobs than they now hold. However, the company and union have responded in part to current pressures on them and have modified the seniority system, changed the admissions rules to the employees' club, and desegregated locker rooms. They are also subjecting their testing procedures to re-examination. Personally, I think that the court will require more of them in seniority revisions than they have made, but once required, I would anticipate little resistance. Also, I do not feel that their consulting psychologist is likely to make extensive changes in testing procedures until after the court has begun to act. But, again, I think the company will respond affirmatively to what is required.

Although the company is a little guarded in saying what it will do because of the court case, they seem to clearly understand that they will have to make fairly extensive changes in their practices and that the training program will be of significant help to them in making them. This is sufficient as a practical motivation to insure good faith, I think. And I believe their good intentions go beyond this.

The company, at the time of my visit, felt that some of the issues (testing and seniority) should be left to the court to adjudicate and would wait for those actions before making significant new moves except as the training program itself produced results. I do believe that the company is now prepared to act on these results whether or not the court has ruled. Leaders in the Negro local union, though critical of the slow pace of change to date, felt the company would respond positively to a court ruling.

The Atlanta attorney retained by the NAACP Legal Defense and Educational Fund, Inc. has agreed with me (before and after my visit to Rome) that the training program will not hurt the suit. Basically, the court will be interested in results. At present the company's court pleadings can only use the proposal to indicate intentions. If the training also leads to results so

much the better. I recognize that some of the results could be achieved without the training, but for large numbers of the Negro employees the training will be instrumental in making them capable of full integration in the work force. For all of them, I think, the training will prove to be an asset on the job (even if not essential) and in the union and community.

Please let me know if I can be of further assistance in this matter.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

Eng 7 Vis

DOCKET

TO: Mr. McGeorge Bundy

VIA: Mr. Howard R. Dressner

FROM: Mitchell Sviridoff MS

DIVISION: National Affairs

PROGRAM: Social Development

DEC 2 1968
(Distribution Date)

RESPONSIBLE PROGRAM OFFICER: Basil J. Whiting

TYPE OF ACTION: Grant out of Appropriation

GRANTEE: The American Paper Institute

AMOUNT: $141,000

TERM: Three Years

DESCRIPTION: A demonstration training program to upgrade low level (mostly Negro) employees of a Southern paper mill.

SOURCE OF FUNDS: Appropriation No. 576: $1.7 million for a demonstration series of industrial job training programs, approved by the Trustees on Dec. 7-8, 1967, Balance: $665,500

TAX INFORMATION: On file

ESTIMATED PAYMENT SCHEDULE: Quarterly upon request

TO: Messrs:

Bundy	Armsey (2)	Robinson (2)	Information Processing
Bell	Borgmann	Staples	Information Resources Unit
Dressner (7)	Bowles	Sutton (2)	
Gregory	Edley	Swearer (2)	
Lenagh	Fredericks	Wilhelm	
Lowry (2)	Friendly	Winnick (3)	
Sviridoff	Harkavy	Gormbley (2)	
Trottenberg	Harrison	MacLeod	
Ward	Meade (2)	Magat (8)	

Comments and suggestions should be sent to the Secretary

(Rev. 8/6/68)

NATIONAL AFFAIRS

(SOCIAL DEVELOPMENT)

THE AMERICAN PAPER INSTITUTE

Recommended Action: Approval of a grant of $141,000 to the American Paper Institute for a demonstration training program to upgrade low level (mostly Negro) employees of a Southern paper mill.

Budget: Appropriation No. 576: $1.7 million for a demonstration series of industrial job training programs, approved by the Trustees on Dec. 7-8, 1967
Balance: $665,500

Background: Most of the nation's $2.2 billion manpower efforts are concentrated upon the unemployed or on those preparing to enter the labor force. Relatively little attention has yet been paid to the problems of the sub-employed-- particularly those millions of workers employed full time in low-paying, low status jobs. Many of these workers are loyal and responsible employees with long years of service in sizeable private firms; but because of their inability to meet business and industrial educational standards -- or because of the absence of adequate training and promotion policies in much of the private sector--such workers are locked into entry level or near entry level positions. In the South, low-level workers are often Negro; and their problems are compounded by especially poor educational backgrounds and by deeply ingrained discriminatory practices on the part of both employers and, where they exist, unions.

The Southern paper industry, for instance, is fully unionized and pays relatively high wages, yet Negro employment in paper mills has traditionally been limited to low and semi-skilled positions, generally in wood gathering and wood-lot operations. While these activities do provide some opportunities for promotion, they are relatively few in number and offer lower pay increments than the higher skilled,in-plant lines of progression. Further, the unions and the sanitary and recreational facilities of these laborers are generally segregated from those of the white machinists, electricians, plumbers, and papermakers.

This pattern of segregation was once often enforced by explicitly racist company and union policies; now it exists through custom and through hiring, promotional, and membership practices which often less intentionally discriminatory. Such de facto job discrimination, however, is beginning to break down in this and many other Southern industries under the impact of three developments: First, the rapid urbanization and industrialization of the South, which has created labor shortages; second, the slow emergence of a new "Southern

mentality" among some public officials and business leaders, who recognize that continued progress requires the full utilization of all of the South's human resources; and third, and most important, the pressures applied by the Federal Government through the Equal Employment Opportunities Commission (EEOC) and the Office of Federal Contract Compliance (OFCC). The second and particularly the third of these developments have been more important stimulants of change in the paper industry than the first, since the relatively high wage structure and strong unions of this industry enable it to attract the workers it needs.

Throughout the South, evidence of physical segregation in paper plants is fast disappearing. At the same time, testing procedures and seniority systems which served to prevent Negroes from entering skilled lines of progression are falling before Court action or changing "voluntarily" in the face of possible loss of Federal contracts. These are welcome developments, but they merely remove or reduce inappropriate barriers to Negro advancement. Without training and remedial education, it is doubtful that many poorly educated, untrained Negro laborers will be able to take advantage of their new opportunities.

The experience of the Georgia Kraft Company has not been atypical. Kraft produces paper for corrugated cardboard containers in three plants (two in Georgia, one in Alabama). The two Georgia plants produce 2350 tons of pulp per day and employ 1375 workers. The Company's community reputation seems good and its labor relations excellent (it has never had a strike). Approximately 10 percent of Kraft's employees are Negroes locked into entry or near entry level jobs. With the exception of perhaps 20 foremen and "Chipperfeeders" (those who feed logs into chipping machines), all earn between $2.43 and $2.90 per hour and belong to a union. They have worked for the Company an average of 10 years and range in age from 20 to 50, in education from none to high school graduate.

The familiar pattern of discrimination and segregation was presented in a complaint filed before the EEOC in 1966 by three Negro "Kraftsmen". That complaint charged the Company and union locals with allowing segregated locker rooms, lines of progression and recreational facilities, utilizing unvalidated and inappropriate tests for promotion, and maintaining a discriminatory seniority system. The response of Company and unions has been slow but steady and not unwilling change. The locker rooms have been desegregated; the "Kraftsmen's Club" has voluntarily admitted its first three Negroes; most lines of progression enjoy at least token integration; tests have been revalidated and passing scores lowered; and the segregated unions seem likely to merge.

Nonetheless, Kraft's Division Manager, Doyle F. Dykes, and Industrial Relations Director, Robert A. Rock, observed that few of the Negro work force were able to complete successfully even the modified testing program. As a result, the Company filled its vacancies (numbering 82 in 1967) in more lucrative lines of progression by hiring new, generally white, and better educated workers.

Rock had heard of the successful anti-pverty training activities of the United States Research and Developme nt Corporation (US R & D) in Laurens, South Carolina; and he

arranged an experimental pilot program (at full Company expense) to determine if such training would enable Kraft's entry-level employees to qualify for promotion. (US R&D) is a private, profit-making firm specializing in basic education and motivational training. It is based in New York City and headed by William F. Haddad, a member of the New York City School Board). Four entry level employees who had failed the Company's tests underwent ten weeks of training at U.S. R&D's Columbus, Georgia, center. Subsequently they passed the promotional tests and displayed markedly improved attitudes and initiative. This experience and further negotiations with U.S. R&D convinced Dykes and Rock that such a training program would enable them to upgrade almost all of their low-level work force within approximately two years (at normal rates of attrition in the higher lines of progression). This would increase the productivity of the Company's work force, open entry level jobs for the currently unemployed, and rid the Company of an embarrassing situation of de facto segregation. Further, since almost all Southern paper mills have similar concentrations of semi-literate Negroes in their woodyards, such an effort would serve as a model to other companies.

U. S. R&D's eighteen week training program would cost, however, approximately $1000 per man (excluding utilities and space), a sum not overly inconsistent with costs of similar programs but one a competitive company has difficulty absorbing in its budget, especially since such training is a departure from normal business practice. Nonetheless, Dykes and Rock pursuaded their Officers to authorize a program and to contribute approximately $275 per man plus space and utilities to its cost. Rock and U.S. R&D then approached the Foundation in February 1968 and requested our support for the remainder.

Staff was interested in such a demonstration from two standpoints: First, upgrading and industrial training practices are areas being explored by the Foundation as likely major issues in national manpower policy in the near future. There are now no Federal programs for upgrading, but a successful demonstration of this nature could well influence the future course of Federal policy. Second, it is important to show Negroes as well as whites (especially in the South) that the black men can advance above menial, entry-level jobs. We were concerned, however, that the proposed demonstration should not be isolated but should have an industry-wide impact. In response to these concerns, Georgia Kraft and U. S. R&D engaged the interest of the American Paper Institute (API), the industry's trade organization whose membership includes most major pulp, paper, and paperboard manufacturers in the United State. API enthusiastically agreed to act as sponsor, monitor, and evaluator of the project and to publicize its results.

2 yrs for evaluation

Nature of Proposal: A three year grant of $141,000 to the American Paper Institute (API) for a demonstration training program to upgrade low level (and mostly Negro) employees in the Rome and Macon plants of the Georgia Kraft Company. The training will be offered to the entire 135 man low level work force of these plants, and all who complete the program successfully will be offered positions in lines of progression previously closed to them because of their own inadequate education and motiviation or because of discriminatory practices by Company or unions. The program will be evaluated by API

and publicized throughout the paper industry, particularly in the South, as a model of filling vacancies by in-house escalation and as a means of affording more equal employment opportunities to Negroes.

API will arrange for U. S. R&D to provide training in basic literacy and mathematics, basic physics, and test orientation as well as intensive motivational and counseling services, all in accordance with U. S. R& D's detailed proposal, a copy of which is on file in the office of Social Development. Classes will be two hours in duration, held three times per week on the employee's own time immediately before or after his work shift. Employees with less than a 3.5 grade level reading ability will be allowed to go through both of the planned 18 week cycles, but others may be able to pass the Company's tests after only a few weeks of brush-up training. As each employee passes the tests, he will be eligible to transfer to any line of progression in the mills on the basis of mill seniority, which favors these employees. The Company has further agreed to maintain the hourly rates of those individuals earning less than $3.00 per hour who transfer into a line of progression position normally paying a lower rate. Jobs in the lines of progression range in pay from $2.56 per hour at the bottom up to $4.56 per hour; further progression by the trainees up the ladder to the higher paying jobs will be based upon demonstrated ability and job seniority.

API has engaged the services of paper industry training expert Dr. Joseph M. Rich, Manager, Personnel Resources, St. Regis Paper Company, and of Foundation grantee, Dr. Herbert R. Northrup, Chairman, Department of Industry, Wharton School of Finance and Commerce, University of Pennsylvania, to evaluate and report on the program for two years beyond the completion of training. In addition, API will thoroughly publicize the program and its results, concentrating on the paper industry via API's publications and through paper industry conferences, but also informing the general public, other industries, and such general industrial organizations as the U. S. Chamber of Commerce and the National Association of Manufacturers.

Both API and Georgia Kraft feel that a successful demonstration of the advantages of such training will lead other companies in the industry to sponsor and support fully such programs in the future. To further this process, API will try to arrange for observers, or if feasible, trainees from other paper companies to participate in the program.

Discussion: This is a modest grant in both size and purpose, but three aspects of it deserve attention:

1. Funds are being requested from Appropriation 576, approved almost a year ago for demonstration training programs within industry. At the time the Appropriation was requested, staff had intended to utilize the funds for training the hard-core unemployed. Manpower, however, is a field in which public policy is moving rapidly. Shortly after the turn of the year, President Johnson announced his JOBS Program (Jobs Opportunities in the Business Sector) which was to be administered in part by the

new National Alliance of Businessmen and which would provide sizeable Federal subsidies to private firms involved in training the hard-core unemployed. With the originally intended major role of this Appropriation thus usurped, staff has concentrated instead upon upgrading and has made two such grants from the Appropriation (one to Jobs Clearing House in Boston, the other to Skills Advancement, Incorporated, of New York).

2. Georgia Kraft did not accede to all the requests of the Equal Employment Opportunity Commission, which had desired more drastic technical modifications in the Company's seniority system and in other promotional practices. Such changes have occurred in the industry through collective bargaining agreements inspired in part by the Office of Federal Contract Compliance (most notably with the International Paper Company), but the Courts have yet to determine if these changes are required by Title VI of the Civil Rights Act of 1964, upon which the EEOC based its requests. The Company's lawyers recommended that a test case be made of Title VI and Kraft declined to make the requested changes. Subsequently, in August 1968, a suit was filed in Federal Court against the Company and its unions by the NAACP Legal Defense Fund, acting as a third party.

The existence of this suit has caused staff and our advisor, industrial and labor relations expert Dr. Emory Via of the Southern Regional Council, to examine Kraft's proposal with more than normal care. Georgia Kraft initiated this request but does not seem to have done so merely as a ploy in its negotiations with the EEOC or in the subsequent court action. Legal Defense Fund lawyers contacted by Dr. Via indicated that the existence of the program would have no bearing on the Court's determination of the issues in the suit, (though Kraft will probably and understandably cite its efforts to mount a training program as evidence of its good faith). Messrs. Dykes and Rock of Georgia Kraft are by no means "red-necks" and seem sincerely interested in upgrading these generally Negro employees. Their attitude toward the suit is a forthright one: They disagree with the EEOC recommendations and its interpretation of Title VI, but little passion is involved and they will have little difficulty in living with an adverse Court decision. (They have so stated publicly). Hence, it is our conclusion, based in part upon Dr. Via's report (which is on file), that Georgia Kraft is in sufficient good faith and the proposed program is of sufficient value as a model both of upgrading and of equal opportunity in a rapidly changing Southern industry, for a grant to be recommended.

3. This grant would be an exception to the normal Foundation practice of making grants only to organizations which the Internal Revenue Service has determined to be tax-exempt under Section 501 (c) (3) of the Internal Revenue Code. The Foundation itself, of course, is tax exempt under Section 501 (c) (3) because it is:

> ".... organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes....."

Our own Articles of Incorporation limit our operations somewhat more tightly to ".....scientific, educational, and charitable purposes, all for the public welfare...."

While we are thus obligated to ensure that our funds are used only for these purposes, we are under no legal compulsion to ensure that the organization receiving our funds is similarly exempt; we may make a grant to any organization so long as the funds are used for exempt purposes. (A recent Revenue Ruling makes this point in unequivical terms). As a matter of practice, however, the Foundation has made grants only to similarly exempt organizations to take advantage of a built-in safeguard in so doing: since an organization with a 501 (c) (3) exemption is organized exclusively for the same purposes as the Foundation, we are more confident that our funds will be used only for permissable activities.

In this case, staff feels that an exception to this practice is warranted. The immediate purposes of the grant parallel those of many grants we have made in the past to tax exempt organizations and are clearly exempt purposes. Moreover, it would not be overly difficult to find a 501 (c) (3) organization to function as a sponsor. Our longer run purpose, however, is not merely to train 135 workers; rather, it is to conduct a demonstration with industry wide impact. That is more likely to occur if the project is run with the clear sponsorship and imprimatur of the industry's own official organization. (API is itself tax exempt but under Section 501 (c) (6), as a Business League).

In accordance with the Revenue Ruling cited above, staff does plan to take special steps to ensure that the funds are properly used. API's role has been clearly spelled out in correspondence, proposals, and negotiations, as have those of Georgia Kraft and U.S. R&D; but in addition, Dr. Via will serve as the Foundation's consultant to monitor the grantee's performance and ensure that funds are properly used.

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260 Madison Avenue, New York, N. Y. 10016 (212) 889-6200

AMERICAN PAPER INSTITUTE NEWS RELEASE

CONTACT: THOMAS J. KRANER
212-889-6200

FOR RELEASE - TUESDAY AFTERNOON
JANUARY 14, 1969

AMERICAN PAPER INSTITUTE AWARDED $141,000 GRANT BY FORD FOUNDATION. FUNDS TO BE USED FOR JOB UPGRADING DEMONSTRATION PROGRAM.

NEW YORK, N. Y., January 14, 1969 - Edwin A. Locke, Jr., President of the American Paper Institute (API), announced today that the Institute has been granted $141,000 by the Ford Foundation for a project designed to help open up avenues of promotion for employees in southern paper mills.

The conception of the project originated with Georgia Kraft Company of Rome, Georgia, a jointly-owned affiliate of Inland Container Corporation and the Mead Corporation. Utilizing the grant, API, a non-profit organization, will sponsor a demonstration program at two plants of Georgia Kraft, where special training will be given to approximately 135 employees, most of them Negro, whose education has kept them from qualifying for promotion to skilled jobs. These employees now work at the Krannert Division of the Company near Rome, Georgia, and the Mead Division of the Company at Macon, Georgia. Typically these employees are not now qualified to transfer to jobs which offer opportunities for advancement to the highest skilled and thus the highest paid jobs.

- more -

The purpose of the Ford-financed program is to demonstrate the feasibility of upgrading such employees by providing concentrated instruction aimed at overcoming educational limitations which handicap them for qualifying for more remunerative employment. The program will utilize the most up to date techniques of individual instruction, programmed training and group participation to teach basic education, human resources development and basic mechanical principles applicable to the paper industry, and the employees will be conditioned for tests such as they might face in seeking better jobs. Competition for such jobs is active, since wages paid by the southern paper industry are above the norm for the region.

The demonstration training program will be prepared and conducted by the United States Research and Development Corporation of New York City, and will include an intensive motivational and counseling service for individual employees. Georgia Kraft Company will provide the physical facilities for the program. The program grew out of the company's close study of the problems confronting under-educated employees, and was developed in close collaboration with USRD, which has done pioneering work in this field.

The training aspect of the project will cover a period of 36 weeks, beginning in February, 1969. After the employees have completed their training, their job-progress and performance will be followed for two years more through systematic reports from the employing company to the API.

In addition to monitoring and acting as fiscal agent for the project, API will arrange for an objective evaluation of the training program, and will provide detailed information on results to paper companies and to industry generally, as well as to other business associations and socially-oriented groups interested in the broad problem of upgrading the underemployed. The membership of API comprises most pulp and paper manufacturers in the United States.

For expert evaluation of the training program API has retained Dr. Joseph M. Rich, Manager, Personnel Resources, St. Regis Paper Company, and Dr. Herbert R. Northrop, Chairman, Department of Industry, Wharton School of Finance and Commerce, University of Pennsylvania.

- 30 -

gk NEWS

GEORGIA KRAFT COMPANY P.O. BOX 1551, ROME, GEORGIA 30161
COMMUNITY RELATIONS MANAGER - CALL 234-0241 - A.C. 404

Columbus, Georgia, area.

For Release, 12:00 Noon
January 14, 1969

The Ford Foundation has made a grant to the American Paper Institute which it will use at Georgia Kraft Company to institute an academic training program aimed at qualifying approximately 135 Georgia Kraft Company employees who are not now qualified for general employment. R. A. Rock, Vice President Industrial and Public Relations of Georgia Kraft Company, made the announcement at Rome, Georgia today.

Rock continued by stating that the Ford Foundation provided A. P. I. with a grant of $141,000 for the program and that Georgia Kraft Company will also invest a substantial amount.

Mitchell Sviridoss, Vice President, National Affairs, of the Ford Foundation, in making the grant to the American Paper Institute said: "We are pleased to make this grant for two reasons. First, it will improve opportunities for promotion for these non-skilled and semi-skilled, largely negro employees. Secondly, and perhaps more significant in the long run, it will serve as a demonstration in the paper industry, industry in general and to the Federal Government of the values of in-plant education and the importance of up-grading employees."

According to the announcement, the program is to be conducted by the United States Research and Development Corporation, a private corporation specializing in training programs of this type. The program will be conducted exclusively for the purpose of Georgia Kraft employees at educational centers established at its Rome, Georgia, and Macon, Georgia mills. Members of industry interested in such programs will be invited to monitor the training sessions.

Explaining the program, Rock stated: "This opportunity is being made available at no cost to all employees of Georgia Kraft Company who have not qualified for general employment.

"While enrollment is voluntary, we hope that everyone of our employees who have not so qualified will choose to participate in this effort."

The program will utilize the most up-to-date techniques of individual instruction, programmed training and group participation to teach basic education, basic mechanical principles and human resource development. The program, covering a maximum period of 36 weeks, will be composed of three sessions each week. Each session will be of two hours duration. Attention will also be directed to providing individual instruction as may be needed. By this means each employee will proceed at his individual rate of progress and it is foreseen that many will complete the program in far less time than the maximum period.

Explaining how the program has been developed, Rock pointed out: "This is not a totally new effort on the part of Georgia Kraft Company.

Beginning in January of 1968, we conducted a pilot project involving a number of our employees. Both United States Research and Development Corporation and Georgia Kraft Company have thoroughly evaluated the results of the pilot effort. The results were so encouraging that it was decided to undertake the program for all employees."

The pilot project was conducted at the Columbus Industrial Education Center in collaboration with Georgia Kraft Company. The Industrial Education Center is sponsored by the Lower Chattahoochee Area Community Action Agency and is funded by the office of Economic Opportunity.

It was also announced that the full scale program will be monitored by the American Paper Institute for the purpose of reporting the results to industry in general as well as the pulp and paper industry.

In summarizing the announcement, Rock stated: "We believe that this is a major step in overcoming the obstacles placed in the path of those members of our society who for economic or other causes have not reached their full productive potential. We are confident that through this program these people will become prepared, not only to be qualified for general employment in our operations, but to play vital and appropriate roles as citizens in our growing communities. This will more than justify the cost of the program."

Georgia Kraft Company is jointly owned by Inland Container Corporation, Indianapolis, Indiana, and The Mead Corporation, Dayton, Ohio.

Via Kraft
Ford

February 3, 1969

Mr. James Brenner
United States R & D Corporation
Tower Suite 6100
Chrysler Building
New York, New York 10017

Dear Mr. Brenner:

Thanks for the information on DeBerry and Schneider. I hope to visit one of the locations soon.

I look forward to hearing from you as to when things will be ready to start in Rome and Macon.

I, too, enjoyed the meeting in New York and look forward to the continued association.

Sincerely,

Emory F. Via
Director
Labor Program

EFV/km

United States R & D Corp.

TOWER SUITE 6100 - CHRYSLER BUILDING - NEW YORK, N. Y. 10017

212 682-0284

EXECUTIVE OFFICES

30 January 1969

Dr. Emory F. Via
Director, Labor Programs
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

This will confirm our conversation of January 14, 1969, where I suggested that you might want to take a look at one of our on-going programs prior to the commencement of the Georgia-Kraft operation.

At the present time we have programs in operation in Aiken, South Carolina and in Jacksonville, Florida. I suggest that you contact either Ron Schneider, Director of our Aiken Center at (803) 648-3278 or Jim DeBerry, Director of our Jacksonville Center at (904) 353-5713. They would be more than happy to have you visit their Center. I'm sure they would appreciate the opportunity to explain the program in detail and to have you observe the operation at first hand.

I enjoyed our meeting in New York, and I am looking forward to working with you in the Georgia-Kraft project.

Sincerely,

James Brenner

James Brenner

cc: Ron Schneider
Jim DeBerry

JB:kk

VOLUME I
EDITION 1

12th WEEK
JUNE 6, 1969

KNOWLEDGE RESOURCE ADVANCEMENT FUTURE TRANSITION

Rome, Georgia

INSIGHT

HAPPINESS MONEY JOBS SECURITY OPPORTUNITIES

BETTER WAGES

CONFIDENCE

BRANCHES

INDIVIDUAL

ROOTS

MATH HRD VOCABULARY WORK SPELLING

VOLUME I
EDITION V

JULY 25,1969
Rome, Georgia

INSIGHT

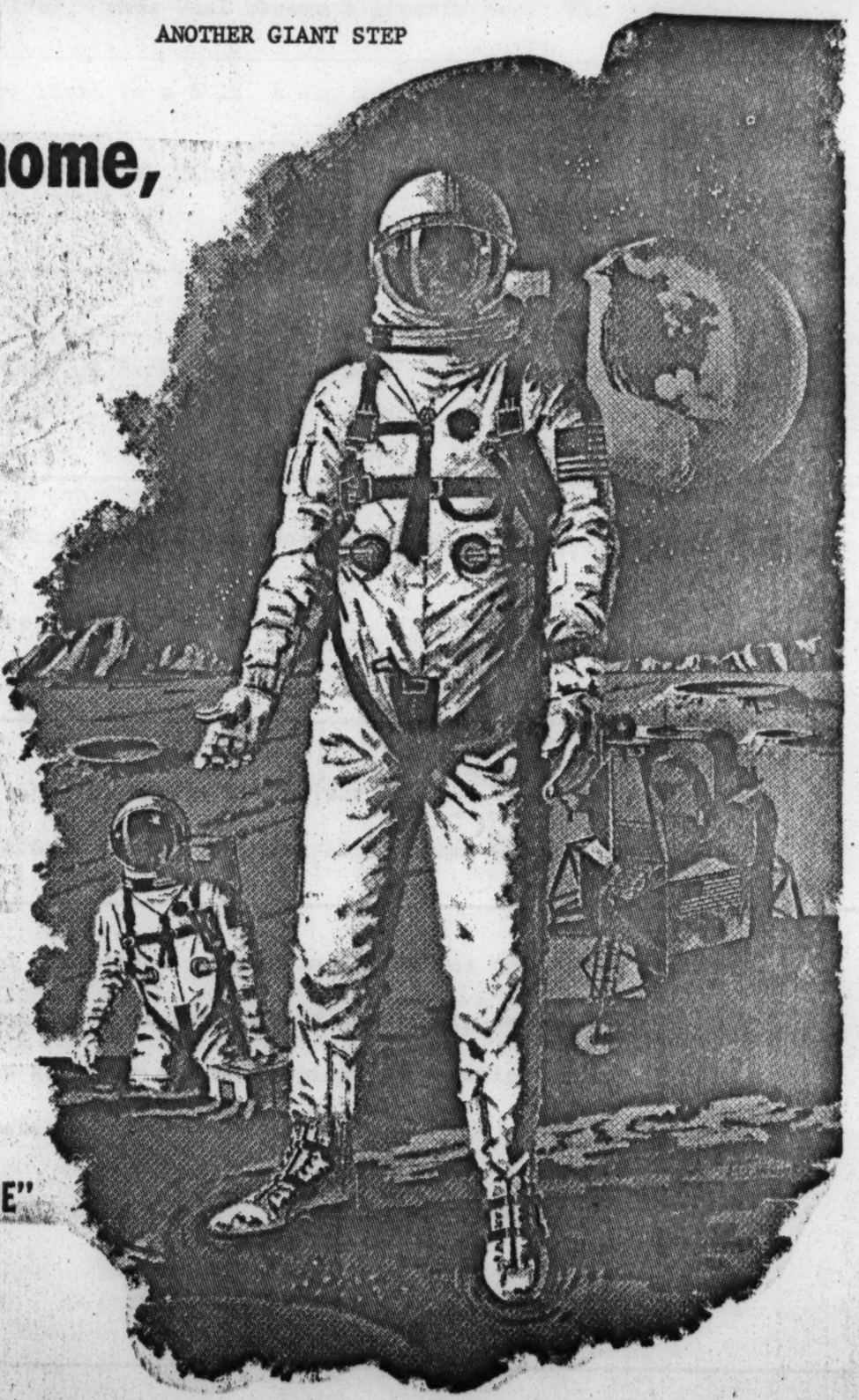
U.S.R.&D. CORP.

PROJECT K.R.A.F.T.

ANOTHER GIANT STEP

Fantastic! Welcome home, moon men

It all seems so unbelievable, an impossible dream come true. As children we had read of the space men surveying the lunar landscape, but here it was, actually happening!
To our United States moon men who, together with co-workers on the small planet earth, created this incredible chapter in history, we can only say, "God Bless. It's good to see you home!"



"DREAMS CAN COME TRUE"

Neil Armstrong
Edwin Aldrin, Jr.
Michael Collins

Air Mail

August 4, 1969

Mr. Basil Whiting
Ford Foundation
320 E. 43rd Street
New York, New York 10017

Dear Basil:

Enclosed is a report on the Georgia Kraft situation. Sorry for the length, but you will see that I have tossed the crucial decision back to you. I trust you will have adequate information and perspective from my report to assist in making it.

I would urge that this report not be shared outside of the Foundation. I would not want to run the risk of jeopardizing relations between USR&D and the Company or the trainors and USR&D for the remaining time, extension or not. This said although on its face it is not an especially loaded report in this regard, but the trainors were fairly open with me.

You will see that Rock would like an immediate answer so he will be prepared for concilliation discussions.

I will leave for an extended vacation beginning August 2. This will now be mailed to you on the fourth. My secretary, Mrs. Kathy Martin, will know where I can be reached.

I would be less than honest not to say that in terms of the men themselves, if real recruitment takes place,

I would like to see the training continued. I am not persuaded that either USR&D or the Company did all that was possible or might have been expected to avoid some of the difficulties that have arisen. And you will see that I have serious doubts as to what may be shown as a demonstration.

Sorry for the haste. Best personal wishes.

Sincerely,

EFV/km

Emory F. Via
Director
Labor Program

EFV/km

Enclosure

Comments by Emory F. Via on the Proposed Extension of the Training Program at the Georgia Kraft Company

August 1, 1969

Background. The training program at the Macon and Rome installations of the Georgia Kraft Company is approximately half completed. It was originally scheduled to run for thirty six weeks. Because of the low level of participation in the course at Rome, it is proposed that additional training be provided so that a much higher percentage of the eligible employees may take part. The company wants an immediate answer since it would like to propose in concilliation proceedings with EEOC that the completion of training by present employees, who originally were scored as fails on the company's employment tests, be substituted for further tests. "Completion" at this moment seems to mean 100% attendance (six hours per week for 36 weeks) with no other standard being applied. Upon completion, it is contemplated that the company will place the men into its normal lines of progression whereupon they can move up the job ladder without being trapped in a non-progressing job classification. This past practice has been one of the areas characterized as discriminatory in complaints filed with EEOC and in a court suit.

Two questions have been put to this evaluator. What is his opinion regarding the relation between the proposed extended training and the complaints before the EEOC and court. And, what can be said about the training program to date. The main thrust of this evaluation will deal with the first question. I will comment on the training program but not as a definitive or final evaluation.

Via's Initial Response. I took my first look at the training program after the program was well under way (past the 12 week mark). It was at this time that I realized the Company hoped to propose to EEOC that training be

substituted for testing. It seemed to me that the relation between the training demonstration and the legal complaints had been substantially altered. In its baldest terms the Foundation was being asked to finance a portion of the Company's concilliation agreement with EEOC and that the company's proposal to EEOC and the complaining parties was contingent upon assurance that a grant for extension of training would be made. It was, and substantially is (see section V below), my feeling that this would be unwise. On July 28 I expressed my reservations to Robert Rock, Vice President of Industrial Relations of Georgia Kraft, and requested that we meet and give him an opportunity to provide me with answers to my reservations or an alternative rationale for extended support of the training. I met with him for that purpose on July 30, 1969.

The Company's Response through Mr. Rock. The company wants to insure success when the underemployed group is moved into the regular lines of progression. It feels that it would be unfair to place unprepared men into a line of progression without the ability to move up. For reasons of efficiency and fairness the company does not want to be told by rule of law that it has to place men in certain job classes where the likelihood is they would not make out. The reason for making the training a part of the EEOC agreement is to provide incentive to the trainees for participating in the course. Originally, said Rock, the use of employment tests after sufficient training was considered a way to measure progress and provide incentive for training to the workers. He reminded Via that although the original complaint to EEOC had been in 1966 that the company thought the issue was dead at the time that it sent a group of four employees to Columbus, Georgia for training to determine whether the company wished to engage in the current project.

Comments of USR&D Training Program

I have visited two training sessions, spoken with the training staff, talked with an industrial relations staff man who has visited the program several times, and had an hour discussion with six trainees who are regular and committed students of the program. Some test scores and attendance records have been available. Nevertheless, I can only give a rather superficial impression at this stage, not an evaluation. I am hampered somewhat from having come into the training phase so late in the day. I have not talked with dropouts or those who refused to come. I have only seen the Human Resource Development (HRD) sessions and not those dealing with math and English skills.

The training program has had a major problem in getting initial participation, and a substantial problem in attendance. The reasons are varied. The trainors blame the failure of some people to start primarily on a "boycott" because of alleged worries that the training was a company ploy to interfere with the legal complaints. Some men were not exactly encouraged by their immediate supervisors. There were some rather bad white reactions, some of which may have reached the black workers. The trainors and Rock feel that the continuance of testing may have proved more of a barrier to participation than an incentive to treat it seriously. Of course, the plan now is to drop the use of employment tests as a yardstick. A number of men work second jobs, some have serious family problems. In some cases where wives work, with school out there are problems at home. The summer months also meant farm work for some. There was some feeling that the men in the pilot group had not been advanced or not very quickly. At this point all but one have advanced; the one may be waiting for a particular job.

The on-site training director felt that giving the grade level determination test during the first week dampened enthusiasm. This was especially so since the strain of test taking in the first weeks was accompanied by the upsets from uncompleted physical facilities.

The training which I witnessed looked good. Good relations between instructor and group. Group responsive. The six men I talked with were clearly pro-program. But they had learned and could back it up. They were interested. Wooked reasonably hard. Sacrificed some to be there. Enjoyed the process. They also want a better job when it is over with.

The coordinating director for the two programs is not especially pleased with the twelve week improvement -- a second test of grade level was given at that time. I don't feel the improvement was outstanding either, but there was some. A few spectacular cases, a number more moderate, and of course the disappointments. The men feel that improvement in communication skills and math will help out on jobs.

The training staff was caught by surprise with the number of non-readers and the substantial difference between grade level completed in school and the grade level on the initial test. This was evidently a major factor in making the course a straight 36 week enterprise rather than two units of 18 weeks each. Though this decision may have been wise, it was prevented any job upgrading of employees in the training program. Originally it had been contemplated that employees would be tested when thought ready, if they passed they would be placed in the line of progression. This has not happened.

In summary, I am convinced that the training will be useful and stimulating to the men. It is difficult to judge at this juncture how useful it will be on the job. The more directly related material is yet to come. But the training to date for those who have taken it seriously stands to better their participation in community, union and family affairs. Although I think it can materially assist in their job performance both because of increasing their acceptability and improving ability, I think the conditions under which the program had had to proceed, the shift of standards, a somewhat contaminated atmosphere, and the lack of hard evaluation of the entrants relative to the jobs in that plant will make long run evaluation difficult and generalizations risky.

Further, I am of the opinion still (as after my initial visit September, 1968) that a substantial number of the trainees could have been successfully placed in lines of progression at any time. More of them probably could be so placed now. The trainors (granted they are not fully familiar with in-plant job requirements) estimate that 50% originally could have been so placed and more now. The question arises as to how far they could then progress without training. We do not know. I favor the training but I do not discount the likely possibility that these same men, given a fair opportunity would have learned on one job about the next job up the ladder. Even Rock would agree that a number of these men could perform adequately at the bottom of the lines of progression. He expresses substantially more reservation than I feel about their ability to move up.

Via's Observations and Recommendations.

At its present stage, and after the completion of 36 weeks, the Foundation is unlikely to have a very conclusive demonstration of what it had hoped to show about the validity of training for upgrading purposes. Noting the reservations I have already made, an extension might help. However, I think that Foundation is on the tricky ground between where a Bona fide demonstration leaves off and bailing a company out of its difficulties begins. I am not unsympathetic to the views expressed on a tape for radio broadcast by Rock and Hadddad that such training is not a matter for do gooders or bleeding hearts but an investment from which the corporation gets dividends. I have not checked, but I assume that a current intensive management training program is viewed in the same light and is paid for by the company.

I think it likely that either the EEOC concilliation agreement or a court ruling will hold that the old employment tests were at least unvalidated and perhaps just plain irrelevant. It is too bad to suggest that this elaborate a program is a substitute for such tests. The substitution could be viewed as simply a further formal road block to jobs. This is especially so since no standard of achievement is proposed. There seems

to me no way for the company to avoid the time tested method for upgrading of recommendations from supervisors and a trial on the job or the exercise of seniority rights and a trail on the job. I repeat, the training, in my opinion does stand to facilitate this process. It may also ease the Company's problems with its supervisors and other employees. There is, of course, no guarantee that EEOC will accept the substitution or think that any substitute is required other than abolishing testing or coming up with an acceptable test. Presumably the Company's alternative tests to the Wonderlic will be revealed at the coming concilliation hearing on or around August 12.

It is my personal feeling that a foundation program of this sort should not be used as a bargaining point in an EEOC concilliation. An extension, however, will likely aid in proving something about the relevance of such training, despite my feelings that some of the conditions for making refined judgements cannot be reinstated.

If the Foundation sees no special problem in making an extension under these conditions, then I think it might wish to consider offering a grant on some matching basis. I see no harm in the Company's accepting more of the financial burden under the existing circumstances.

If training is extended then the Company and USR&D must come up with a much more refined plan for motivation and recruitment into the program. This is not evident at this time. Further, additional staff from USR&D must be available in sufficient quanitity and quality to realistically meet the additional training needs. In Rome alone approximately 27 persons never enrolled, 3 dropped out, 15 had less than two-thirds participation, and probably another 15 have between two-thirds and 100% attendance. This means that about sixty persons will require some additional training at widely varying levels. Half will require a full course.

<u>Yet, More: Some Supplementary Comments.</u>

You can gather that I am not at ease about how Northrup will be able to proceed and make any showing that will have

substantial relevance. I am sure that Rock told me he had already visited Rome. However, he did not go by the training center. The staff there knew nothing of him or his potential role. Indeed, on my first visit, cleared through Rock, they had no idea who or what I was much less why. In general they have responded cooperatively and with candor. Also, the staff seems to have been inadequately informed about the EEOC and court case and its possible impact on recruitment and worker response to training.

File

Phone AC 215
594-7729

August 8, 1969

Mr. Herbert R. Northrup
Wharton School of Finance and Commerce
University of Pennsylvania
Industrial Research Unit
3905 Spruce Street
Philadelphia, Pennyslvania

Dear Mr. Northrup:

I will be on vacation during most of the month of August. It is at present uncertain whether I will be in Atlanta on or around August 20th.

I hope to know that part of my schedule by August 18th.

I trust that I will be in town and that we will be able to get together and I am sorry for this uncertainty, but this letter itself is being dictated by phone. If I am in Atlanta on or before the 18th I will try to reach you by phone. In any case you can call my office to see what the word is.

I trust that we will be able to get together.

Sincerely,

Emory F. Via
Director
Labor Program
Dictated and signed
in his absence

EFV/km

cc: Mr. Basil J. Whiting, Jr.

Recd 8/7/69

UNIVERSITY of PENNSYLVANIA

PHILADELPHIA 19104

Wharton School of
Finance and Commerce

INDUSTRIAL RESEARCH UNIT
3905 SPRUCE STREET
HERBERT R. NORTHRUP, *Director*

August 1, 1969

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Via:

Basil Whiting tells me that you are evaluating the Georgia Kraft project of training disadvantaged workers for the Foundation, and of course I am doing the same thing for the American Paper Institute. It is my plan to be at Georgia Kraft on August 20 to confer with the company officials and to examine the progress thus far. It occurred to me that since I have to pass through Atlanta going and coming anyway, it would be advantageous for us to get together, and I wonder if some arrangements can be made to that effect.

I look forward to hearing from you.

Cordially yours,

Herbert R. Northrup

HRN:ms

cc:
Mr. Basil J. Whiting, Jr.

H. R. Northrup
UNIVERSITY of PENNSYLVANIA
WHARTON SCHOOL OF FINANCE & COMMERCE
PHILADELPHIA, PA. 19104

1969 PENN
HOME FOOTBALL

SEPT.	27	BUCKNELL
OCT.	4	BROWN
OCT.	18	LEHIGH
NOV.	1	HARVARD
NOV.	22	CORNELL

PHILADELPHIA AUG-4'69 PA
U.S. POSTAGE
06 :
PB METER 608126

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

From the desk of
PATRICIA A. REYNOLDS

United States R & D Corp.
TOWER SUITE 6100 CHRYSLER BUILDING
NEW YORK, N. Y. 10017

8/12/69

Hi Dr. Via,

Well its that time again to gain "insight" by reading our newspaper.

We are anxiously awaiting for your return.

Hope it will be soon!

Pat

INSIGHT

UNITED STATES R&D CORPORATION
Rome, Ga.

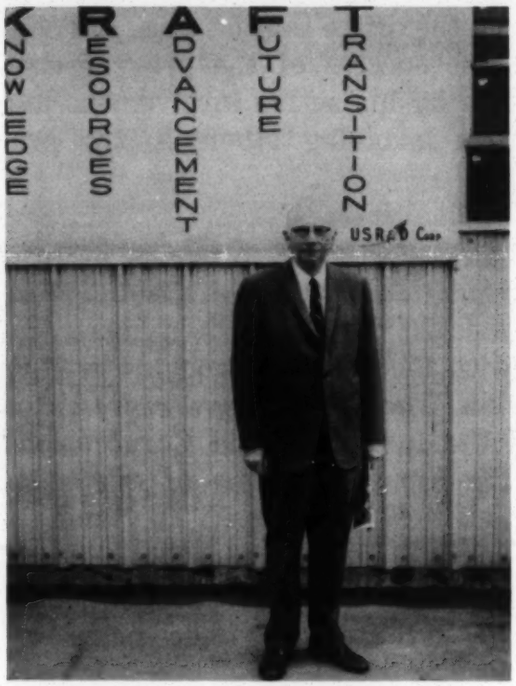
Volume I
Edition VI

AUGUST 8, 1969

K.R.A.F.T. PROJECTS

U. S. R. & D. CORP./GA. KRAFT — ROME and MACON, GEORGIA

VOLUME 1, NUMBER 1 — AUGUST, 1969



First National Bank Comes To K.R.A.F.T.

Project K.R.A.F.T. in Rome, was delighted with the presence of the Director and Consultant, Mr. F. D. Hand, and the Vice President, Mr. J. W. Frank, of the First National Bank of Rome, on one of their recent visits to the Center.

These two gentlemen gave a presentation to the evening group about Banking Services offered to the individual and the role the Bank plays in the Community. It was a very interesting and highly informative session. One of the highlights of the slide presentation was the question and answer session at the end.

Mr. Hand who is a 'veteran' visitor to the project is a native of Rome and Floyd County, and is also an active Rotarian, Chairman of the Floyd Hospital Authority; Board Member - Rome Area Red Cross and a member of the Financial Executives Inst. He has also served as past president of the Rome Area Chamber of Commerce. He was formerly a Controller with West Point-Pepperell until his recent retirement.

Mr. Frank was also born and raised in Rome and Floyd County where he has served as past President of both the Rome Exchange Club and the Coosa Valley Fair Association. He is a Director of the Rome Chamber of Commerce and a member of the Rome-Floyd Planning Commission.

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

September 5, 1969

Dr. Emil Via
5 Forsythe St. N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

In talking with Basil Whiting yesterday, I learned that you had never received any of the monthly reports which the United States R & D Corp. has furnished us in connection with the project at Georgia Kraft Company.

I am enclosing the four reports which we have received to date and will see that you get any future ones. We are expecting to receive one covering the period ending August 30th., very shortly.

If you have any questions, please do not hesitate to let me know.

Sincerely yours,

William B. Gittens

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw
cc: Basil J. Whiting
Enclosures - 4

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

September 23, 1969

COPY

Dr. Emery Via
Dr. Herbert Northrup
Southern Regional Council
5 Forsythe Street, N.W.
Atlanta, Georgia

Dear Emery and Herb:

Just a note to thank you for your recent reports on American Paper Institute/Georgia Kraft/U. S. R & D Project.

I have talked to Bill Gittens at API and followed that up with a letter, a copy of which is attached for your information. I have also just talked to Bill Haddad and he and Gittens will submit a proposal to us taking into account the detailed recommendations, comments, and criticisms presented in Herb's letter to me, a carbon copy of which went to Gittens. As I note in the letter to Bill Gittens, your detailed comments regarding the program were very similar.

Once we have the proposal in hand we will be able to sit down with Gittens and Haddad and hit hard at those things we feel they are not adequately enough addressing.

As you will note, Emery, I'm asking Gittens to be much more energetic about keeping you informed about the project.

Do either of you have access to a copy of the final agreement signed by the company and complainant before the EOC? I would appreciate your assessment of that agreement as finally drafted.

Sincerely yours,

Basil J. Whiting
Program Officer

September 4, 1969

Mr. William Gittens
American Paper Institute
260 Madison Avenue
New York, New York 10016

Dear Mr. Gittens:

I enjoyed talking to you on the phone about the U. S. R & D project with Georgia Kraft. I just want to follow up with a written communication re-emphasizing two of the points we discussed. First, we are interested in seeing a proposal from API for an extension of the program. Second, we take very seriously the comments and recommendations of Herbert Northrup, a copy of which you have in hand and of Dr. Emery Via, our own consultant, whose opinions are very similar to Dr. Northrup's. We think API should take each of Dr. Northrup's points into account in devising its continuation proposal.

It would also be useful if we had some estimate of the monetary value of the contribution of services and material equipment and space by Georgia Kraft to this training project. Do you think Georgia Kraft would be amenable to paying, say, 25% of the direct costs of the extension which is being requested from Ford?

Finally, it is important for API, U. S. R&D and Georgia Kraft to take more energetic steps to keep our consultant, Dr. Emery Via of Southern Regional Council, fully informed on the nature of the project and its progress.

Please feel free to call me for further discussion on any of these points on or after September 16th.

Sincerely yours,

Basil J. Whiting
Program Officer

Dictated by B. J. Whiting
Transcribed and signed in his absence by
M. Speranza, Secty to Mr. Whiting

BJW:mcs
name
chron

GEORGIA KRAFT COMPANY

October 8, 1969

CORPORATE OFFICES
NATIONAL CITY BANK BUILDING
ROME, GEORGIA 30161

P. O. BOX 1551
TELEPHONE
404-234-0241

Dr. Emory Via
Southern Regional Council, Inc.
5 Forsyth Street
Atlanta, Georgia

Dear Dr. Via:

Enclosed is the section of the pending E. E. O. C. agreement concerning U. S. R. & D. training.

If there is any further information you need, please let me know.

Sincerely,

R. A. Rock

R. A. Rock
Vice President
Industrial and Public Relations

mh

Enclosure

14. TRAINING

A. In order to be considered qualified to be transferred and/or promoted into skilled and/or semi-skilled lines of progression and/or job classifications, Respondent Employer has heretofore required employees to meet certain satisfactory scores on a battery of tests. As a substitute for such requirement, Respondent Employer in conjunction with the United States Research and Development Corporation has developed and is offering to its employees a training course consisting of six (6) hours per week for 38 weeks, on the employee's own time, and it is agreed that an employee who completes such course will be qualified for transfer and/or promotion into any job in any line of progression in Respondent Employer's plant, as fully as an employee who has made satisfactory scores on the battery of tests. Such transfer and/or promotion shall be governed by the applicable provisions of the existing Collective Bargaining Agreement as modified by the provisions of this Agreement.

?

If job opens he can bid now!!

B. It is further agreed that an employee who is enrolled in said course (prior to completion thereof) will be eligible for transfer, as though he had completed the course, into any line of progression in Respondent Employer's mill in accordance with applicable provisions of the Collective Bargaining Agreement as modified by this Agreement. However, if such employee fails to fulfill the attendance requirement as hereinafter set forth he shall be removed from such job and returned to the job previously held.

Unless he passes existing employment tests.

?

C. It is anticipated that facilities and staff for the United States Research and Development Corporation training course will exceed facilities and staff necessary for the training of participating affected class employees.

In order to make maximum utilization of both facilities and staff, the Respondent Employer agrees to recruit applicants to participate in the U. S. R. & D.

training course. The number of such applicants placed in the course shall be determined by the number of affected class employees enrolled in the course subtracted from the maximum number of persons that can reasonably be accommodated in the course.

D. Facilities and staff of the U. S. R. & D. training course shall be available to employees at times other than the regularly scheduled classes in order that participants may accelerate the rate of their training and/or make up missed sessions.

E. Satisfactory attendance shall be deemed to be 90% of 216 hours, or 90% of six hours a week as long as the course is given, whichever is less.

?

Completely U/cased

F. An employee may miss up to six classes (12) hours due to having to work overtime and/or absence from work which is considered for satisfactory reasons under the Labor Agreement.

(7)

G. Should Respondent Employer decide to discontinue the course, it shall immediately notify those enrolled in the course, and schedule within reasonable limits as many make-up classes as employees desire for the remainder of the course. Should the course be discontinued with less than one month's notice, all employees enrolled shall then be considered qualified.

File
Ga-Kraft

AIR MAIL

October 9, 1969

Mr. Basil Whiting
The Ford Foundation
320 E. 43rd Street
New York, New York 10017

Dear Basil:

Enclosed is a copy of that section of the settlement agreement between the Georgia Kraft Company and EEOC which relates to training. This is the only portion which I have. Final language is still being worked out on some of the other sections.

You will note that some of the language is conditional turning on whether or not a "full" course is offered. Also they have modified the 100% attendance somewhat. And Section C at least raises the problem of recruitment.

I am sorry that this is so late getting to you but it just came in today. Let me know if there is anything else you require.

Sincerely,

Emory F. Via
Director
Labor Program

EFV/km

Enc.

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

October 30, 1969

Dr. Emil Via
5 Forsythe St., N.W.
Atlanta, Georgia 30303.

Dear Dr. Via:

Since writing to you on September 5, 1969, we have received no reports from U. S. R. & D. on the Georgia Kraft project until this week.

I am enclosing the most recent report which covers the period from July 24 through October 20.

If you have any questions, please do not hesitate to let me know.

Sincerely yours,

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG/jlw
Enclosure
cc: Basil Whiting

United States R & D Corp.

10/23/69

INTERIM REPORT: AMERICAN PAPER INSTITUTE

MANAGEMENT SYNOPSIS

As recently as early September, the Georgia Kraft project was faced with high enrollee absenteeism rates which in turn had produced a debilitating effect on the educational and attitude-training effort.

The absenteeism had its origins in a boycott of the program by potential enrollees which, in turn, had its origins in a grievance procedure pending before the Equal Employment Opportunity Commission.

The potential enrollees, all of them black and many of them daily working colleagues of the EEOC complainants, had concluded--erroneously--that participation in the training project would somehow weaken the EEOC complaint.

The EEOC complaint, which had lain dormant for several years after its submission in 1966, was a "hidden agenda" faced by U.S. R&D during the early implementation stages of the contract.

In early September, U.S. R&D brought in a new director for the project and initiated a broad-gauged recontact and re-recruitment campaign. Meanwhile, the company made its long-pending announcement that training would be substituted for testing for veteran employes, thus providing an important new motivational factor for potential enrollees.

Georgia Kraft and R&D conducted several evaluations

and held several meetings to map a strategy based on new information and a change in circumstances. It is important to note that the plans which emerged covered all problems to date.

This report details steps taken since that time to increase the scope and improve the effectiveness of the project.

INTRODUCTION

This report summarizes and puts into perspective the activities of the United States R & D Corporation in the conduct of a basic education and attitudinal training program at the two plants of the Georgia Kraft Company. The program is sponsored by the American Paper Institute and financially supported by the Ford Foundation and Georgia Kraft.

The report is a supplement to the periodic status reports submitted by the project, and is occasioned by the necessity to report in some depth on the problems encountered in the implementation of the contract and the solutions devised.

The report is based on internal management studies of the project by U.S. R&D, and draws on the evaluations conducted by Georgia Kraft staff and Herbert R. Northrup of the Wharton School of Finance and Commerce.

While differing in some details, these studies and evaluations are striking in the unanimity of their conclusions and recommendations. This report details the extent to which the recommendations have been carried out.

BACKGROUND--THE ORIGINAL CONTRACT AND EARLY OPERATIONAL MODIFICATIONS

Under terms of a contract between the American Paper Institute and the United States R & D Corporation, the latter firm was to conduct a training program for "all 135" veteran Georgia Kraft employes who had not gained access to the so-called "lines of progression" in Kraft's two plants.

The proposal said that at the time the proposal was approved, there were 55 such employes in the company's Macon Division and 80 such employes at the Rome Division.

The proposal envisioned a 36-week training program split into two cycles of 18 weeks each. According to the proposal, 35 students in Macon and 50 students in Rome would be enrolled in the first cycle. At its conclusion, it was estimated that 20 enrollees in Macon and 30 enrollees in Rome would be ready to "graduate"--to take and pass the Bennett and Wonderlic tests used by the company to determine qualification for entry into the lines of progression.

The non-graduates, 15 in Macon and 20 in Rome, would continue in the program through the second cycle, to be joined by 20 new students in Macon and 30 new students in Rome, none of whom had attended first-cycle classes. Thus, it was believed, 100 students could be prepared for the tests on the basis of 18 weeks' exposure to

training, while 35 students would require 36 weeks to become test-ready.

This timetable was overly optimistic, since the proposal's implication was that almost three-fourths of the enrollees would require only 16 weeks to reach test-readiness.

In point of fact, about 45 Kraft employes were found to be non-readers, while another 40 had educational achievement levels so low that it was a practical impossibility to raise them to test-readiness on the basis of 108 hours of training (six hours a week for 18 weeks, the proposal's projected classroom time). Accordingly, and in consultation with Georgia Kraft corporate management, U.S. R&D determined that the original two-cycle training schedule would have to be modified in order to provide more extensive training for larger numbers of trainees than those contemplated in the proposal.

U.S. R&D's enrollment strategy was to offer enrollment to "all 135" eligible Kraft employes at the initiation of the training period in March, 1969, with the thought that relatively high-achieving employes could be graduated after the first 18 weeks and that the others could be continued to the point when they were test-ready. In part, this was a decision dictated by the practical fact that U.S. R&D would have to interview all potential enrollees during the pre-implementation period in any case, to determine academic achievement and in-

terest, and there seemed to be no reason not to conduct enrollment at the same time.

In the course of the pre-enrollment interviews, three additional problems presented themselves:

1. Potential enrollees had come to believe that the training time would be somehow stipended, either by Kraft or under funding-source auspices. This expectation may have come because the four Kraft employes who attended the Columbus training pilot did receive pay and subsistence from the company, or it may have been a rumor circulated on behalf of the EEOC complainant group designed to discourage participation in the training program. In any event, when U.S. R&D interviewers reported that there would be no stipends, and that the training would be conducted on a voluntary basis outside of work hours, some disaffection resulted.

2. Mass enrollment presented certain scheduling difficulties which had not been foreseen. Four different daily shift schedules, plus a periodic 10-days-on, four-days-off schedule, led to difficulties in setting training hours. This same difficulty probaby would have been encountered if the original enrollment proposal had been followed, but the heavy front-end load on recruitment clearly exacerbated it. The solution, which produced a heavy training schedule on Mondays, Tuesdays and Wednesdays, with Thursdays and Fridays as make-up days, was inimical to optimum training procedures, even though it was consonant with the original proposal's

pledge that class scheduling would be left in the hands of the enrollees.

3. The voluntary and unstipended nature of the training, plus the scheduling difficulties, led to a situation in which U.S. R&D staff was unable to construct "hard" scheduling of training hours, and was forced, instead, to provide training for any employe whenever he appeared at a project office. Despite consistent U.S. R&D efforts to regularize individual training schedules, successes came slowly.

Other intervening factors here--all of them outside of U.S. R&D control--included part-time out-of-plant employment (particularly in construction in the summer) by potential enrollees, instances of individuals' self-confidence lacks so severe as to preclude training participation without extensive attitudinal groundwork, summer vacation schedules, and car-pooling and family-responsibility problems. In the latter category were life-styles which made Thursday-night family shopping activities an unalterable requirement for working husbands, as well as time required for small-plot garden-farming.

None of these impediments to quick implementation of the training program were insoluble, but they did require modifications in the original work-plan. The first and most important of these, as mentioned earlier, was the decision to undertake mass enrollment, rather than the phased enrollment contemplated by the proposal.

During the pre-enrollment interviewing phase, U.S. R&D also discovered that the total potential enrollment had been somewhat overestimated, and that it was overly optimistic (at least at that time) to expect every eligible candidate to participate in the training program. An attachment to this report is a summary of enrollee training commitments elicited during the initial interviews. It is interesting to note that some individuals reported that they would not participate in the training under any circumstances because they were "not interested." This reaction may have had to do with the attitudes based on the EEOC complaint, in which case re-interviewing should produce notable changes; but U.S. R&D, on the basis of staff reports based on repeated contacts with the potential enrollees, now believes that there are at least 15 Georgia Kraft employes who will not undertake training under any circumstances, and U.S. R&D believes the total corpus of potential enrollees should be reduced to 120. This judgment parallels that of Georgia Kraft corporate management.

This judgment is not in any way preclusive of the right of any non-line-of-progression Kraft employe to receive the training; it means only that a 120 figure is more realistic than the original proposal's 135, and that the meaning of the contract should be modified accordingly. (Meanwhile, see below, efforts will be made

to afford training to a number of potential Kraft employes in advance of their selection.)

The mass-enrollment strategy had the effect of producing "peaks" and "valleys" of attendance. For the most part, the peaks came between 4 and 5 p.m., as employes from both the regular day-shift and the rotating 8-to-4 shift converged on the training centers, sometimes producing student loads of 30 or more.

Handling these numbers presented little problem for Human Resource Development sessions, but it was difficult to achieve coherence in the basic education sessions, where it had been hoped to achieve a grouping on the basis of achievement level.

The voluntary nature of the training program meant that there could be no assurance of individual attendance and groupings were necessarily somewhat haphazard.

Other factors--notably the boycott--were important contributors to the high absentee rate, as is shown by the marked progress exhibited by the trainees whose attendance has been regular and whose educational achievement has improved measurably.

A different problem was encountered in the conduct of the Human Resource Development sessions: Attendance at individual classes occasionally so low that the group did not reach "critical mass"--e.g., did not receive sufficient internal stimulus to create the group interaction necessary to attitudinal exploration and change.

The HRD curriculum and casebook is based on an optimum group size of 12, and several more can be handled comfortably; but groups which sometimes went as low as four or five attendees stifled the group process and thus the learning process.

In the original proposal U.S. R&D specified that the educational program at Georgia Kraft would be modified to make content specifically germane to the paper-making industry and the jobs therein. It was anticipated that this would be done through a regularized relationship between first-line managers and U.S. R&D trainers, with the former explaining the jobs in the factories to the trainers and the latter explaining the content of the program.

This relationship has been slow to materialize. Professor Northrup has commented on Georgia Kraft's policy of giving U.S. R&D a "free hand" in training, but he apparently failed to recognize that the Kraft policy was seen by U.S. R&D staff as part of a larger one--that of isolating the trainers, and the training, from the mainstream of Georgia Kraft activity.

This unfortunate divergence of objectives and approaches has slowed the creation, for instance, of an "industrial vocabulary" tied to paper-making for inclusion in the basic education program.

This vocabulary would have come, we are convinced, through a reasonably open exchange of information between Kraft's supervisors and U.S. R&D staff.

The fact that until recently (see below) such an exchange had not come to pass is an unfortunate--although inadvertant--product of the "free hand" philosophy.

In any case, it must be stated that curriculum modifications to make the educational program more closely attuned with paper-making were slow to come. The fact that the changes have now been made is an important breakthrough.

NEW THRUSTS

The above "ancient history" of the Kraft project highlights the problems faced, rather than focusing on the successes. In carrying out a new program, these problems serve to open the door to the solutions which are necessary for long-term replicability of the project in other places.

These problems were first articulated comprehensively in an internal U.S. R&D management study of the Kraft project in early August, and were followed by the Northrup evaluation and a series of recommendations by Georgia Kraft's vice president for industiral and public relations, Robert A. Rock. Since that time, the project has undergone a thorough-going turnaround, and it is only in light of the foregoing that the present thrust of the project can be understood.

The new directions are outlined below, with commentary where appropriate, and were arrived at through discussions between Mr. Rock and William F. Haddad, chairman of U.S. R&D:

1. In line with a changed emphasis a project director with new specialties was employed. This man is a veteran U.S. R&D administrator, who has been responsible for the success of several U.S. R&D projects in the South. His first and most important mandate is to improve the Kraft middle echelon and R&D communications flow and to enlist trainees and first-line management

in assuring the success of the project. He will devote full time to the job and live in Rome, Georgia.

2. A revised staffing formula has been adopted. Whereas the original budget made provision for a training staff of only two at Macon (and three at Rome), an internal staff redeployment brings total training staff at each plant to three--a training director and two trainers.

3. In keeping with the goal of increasing communication and sharing of knowledge, Kraft and U.S. R&D have agreed to:

a. Regularization of problem-solving meetings between U.S. R&D trainers and Kraft personnel, centering on--but not limited to--discussions of enrollment and re-enrollment strategies.

b. Regular plant tours by U.S. R&D personnel with Industrial Relations assistance, the purpose being an increase in trainers' knowledge of paper-making methods and procedures, and subsequent incorporation of such knowledge into educational curricula.

c. Regular appearances at training sessions by Kraft supervisors, who will discuss job requirements and mill production necessities.

d. Establishment of organizational hierarchies within both U.S. R&D and Kraft staffs, to ensure the thorough discussion of problems

at an operational level before they reach a management level.

e. Publication of a brochure explaining the training program's aims and procedures for distribution to all Kraft employes and potential employes.

4. A major re-interviewing and re-recruitment plan is being implemented, under which each potential trainee not now attending classes is being contacted again--in the plant and, where necessary, at home--with the goal of increasing attendance. Coupled with this re-interview effort is an explanation of the new Kraft policy substituting training for test-passage, and it is hoped that a remarkable increase in enrollment will be achieved.

5. In those cases in which new enrollment efforts fail, U.S. R&D and Kraft staffs will discuss tactics; if Kraft assistance looks to be helpful, Kraft will be asked to participate through individual counseling of potential enrollees.

6. U.S. R&D is undertaking a curriculum revision designed to make its basic education component more relevant to in-plant knowledge needs and its HRD curriculum more cognizant of recurring stress-accomodation situations in the plants. A new "industrial vocabulary" element is being added to the basic education format, and improved relationships with foremen should lead to franker discussion of in-plant problems.

7. Because of continuing attendance uncertainties, as outlined above, U.S. R&D will further develop--and will continue to emphasize--the "home study" aspects of the basic education curriculum. Specifically, tape recorders--as well as workbooks--will be made available for out-of-plant study under a plan which will place major emphasis on home-loan individual responsibility.

8. An academic gains schedule will be constructed for each trainee by U.S. R&D, under which periodic results of objective tests will be made available to API, the Ford Foundation and Georgia Kraft so that an assessment can be made of individual enrollee progress and the relative effectiveness of teaching mechanisms.

9. In a new thrust beyond the scope of the contract, U.S. R&D has agreed to provide training for a limited number of job applicants in advance of their being hired by Georgia Kraft, making possible a somewhat more flexible recruiting capability than now exists. It is anticipated that a number of black job applicants, for instance, will be able--with the help of advance training--to pass the Wonderlic and Bennett tests and thus to find line-of-progression employment which earlier would have been closed to them.

* * * * *

An element of the Georgia Kraft project not sufficiently exploited is its role as a harbinger of coming

events--the corporate commitment, the venture of a major philanthropic entity to move toward the solution of a localized difficulty, the use of an outside training firm, the possibilities for replication of the program elsewhere.

The resolution of the EEOC dispute will undoubtedly have industry-wide--if not region-wide--applications, and it may be that without adequate public and corporate relations, these results will be lost on the firms most in need of guidance.

Therefore, although outside the scope of the U.S R&D-API contract, it is anticipated that a major public education task be undertaken as soon as results justify the effort.

CONCLUSION

It is the opinion of the Georgia Kraft Company that the project has been a success and that the problems encountered, and reported candidly here, make it possible not only to improve on this program, but to insure that it can be copied by others elsewhere.

When measured against the success and the problems of other attempts, in the view of Georgia Kraft, it is far and away the most successful.

It is the opinion of R&D that the basic problem of absenteeism, which is at the core of this report, was the EEOC situation. With that clarified, the project can move ahead.

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

DIVISION OF NATIONAL AFFAIRS
SOCIAL DEVELOPMENT

October 31, 1969

Mr. Emory F. Via, Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Emory:

Thanks for sending me a copy of the settlement agreement between Georgia Kraft and the EEOC.

It is an interesting agreement, but I am a bit confused on a couple of points. Is the company still going to give tests to those trying to move into the skilled or semi-skilled lines of progressions? Is it true that attendance is the only criterion of success? Is it true that a man who could pass the tests will still have to attend the course? Is it true that the man who within a few weeks progresses rapidly enough to be able to pass the test will still have to complete the course? Is there no standard of performance which is agreed upon as necessary for advancement?

Not to cannot employees if they take training

At the time of the agreement yes — now seems to be modified slightly

Sincerely yours,

Basil Whiting
Program Officer

BW:DH

yes by EEOC's interpretation of agreement — No by USR&D proposal though he would be encouraged to continue —

USR&D now (12/5/69) says it will give tests to determine progress, but not in the settlement

Would new guy

to Prey

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

Received SRC
12/3/69
Emery Via

November 10, 1969

RECEIVED
NOV 26 1969
MAIL ROOM
THE FORD FOUNDATION
NEW YORK OFFICE

Dr. Emery Via
The Ford Foundation
320 East 43rd. Street
New York, New York 10017.

RECEIVED
NOV 25 1969
MAIL ROOM
THE FORD FOUNDATION
NEW YORK OFFICE

Dear Dr. Via:

Enclosed is a proposal from U.S.R.&D. for an additional grant to continue the Georgia Kraft project for another thirty-six weeks.

Would you please review this and let Mr. Whiting have your recommendations within a week.

Thank you for your assistance and cooperation.

Sincerely yours,

Wm. B. Gittens/w

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw

Enclosure
cc: Basil Whiting

997

AMERICAN PAPER INSTITUTE
1835 K STREET, N.W.
WASHINGTON, D. C. 20006
202—296-7966

Dec. 3, 1969

Dear Dr. Via:
I think the enclosed material will be of interest to you.

Please excuse the long delay. As you will note, this was sent to the wrong address.

Sincerely,
Joan Westlake
Joan Westlake
Secretart to
Mr. Gittens

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

November 26, 1969

Received Dec 4, 1969 E.T.V.

Dr. Emery Via
The Ford Foundation
320 East 43rd. St.,
New York, New York 10017.

Dear Dr. Via

I discovered that the documents sent to you on November 10, was not a proposal from U.S.R.&D. for an additional grant for the Georgia Kraft project, but instead was a progress report.

I have just received today a copy of the proposal which Mr. Whiting would appreciate your reviewing and letting him have your recommendations.

Sincerely yours,
William B. Gittens

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw
Enclosure
cc: Basil Whiting

STATEMENT BY ROBERT ROCK, OF GEORGIA KRAFT

November, 1969

Received Dec 4, 1969 E.F.V.

I believe that this project will provide the paper industry with the answers to some of its critical long range problems. In recent months, I have had the opportunity to review other industry attempts to upgrade locked-in employees and, without doubt, this program far exceeds what others have been able to accomplish.

That is not to say that this project has not had its problems; it has. Many have been intense and difficult. Some are unresolved. Yet it is the solution of these problems which has provided us with the knowledge which we believe will have a lasting impact on our entire industry; and, in fact, for other industries which are attempting to expedite the upgrading of employees whose educational background has not prepared them for advancement.

I believe it is essential to complete this project, not only for the benefit of those who are succeeding, but as a possible model for the paper industry.

This is a request for a nine months extension of the program beginning on December 29, 1969 and ending on September 25, 1970.

Runs into Summer recess

During that time, under terms of a settlement tentatively recently reached between the unions, the Georgia Kraft Company, and NAACP and the government (EEOC), all students who attend the United States R&D school will not only be immediately eligible for advancement (the pre-requisite tests having been eliminated by this agreement) but each will be entitled to seniority based on his length of employment with the corporation. This is a variation of the previous proposal which envisioned training the locked-in employees to pass a mandated company test.

Inc fund

If attendance drops close it rather than jeopardize the mens status

The new agreement is a significant alteration of industry practice. Even where tests have been eliminated, no requirement has been established for additional educational attainment. That this method of attainment has the support of all the parties in the dispute indicates that a precedent may have been established not only for one industry, but for other industries facing similar problems.

?

At this writing the precise attendance required for "completion" is still being negotiated; it will not be below ninety percent. The union and the NAACP have agreed to stress the need for this education beyond just mere attendance, and tests will be conducted to indicate achievement. EU

R&D will also establish procedures and tests to enable some students to graduate earlier than the 36 weeks now required. However, efforts will be made to keep the students in the classes as long as possible, offering them increasingly more difficult assignments, to better prepare them for broader work opportunities and a more fulfilling life. EU

In addition, space and staff permitting, potential employees of the corporation who now lack the pre-requisites for initial employment will also be admitted to the school, and those who perform well will be selected for employment. What this does, in effect, is to open up entry-level employment to members of the community, white and black, who do not have the necessary educational qualifications for entry-level jobs in a growing industry. As stated, this will be done only in synchronization with the availability of instructors and positions based on the in-plant attendance.

R&D has agreed to provide, at no additional cost, the materials and hardware necessary to carry out this phase of the program. It is estimated that this can be considered at $30,000 industrial in-kind contribution. Any educational materials remaining after the project, will be used in an on-going version of this project which will be undertaken by Georgia Kraft.

add to fund to fact already available ?

For conducting the extension of the program, R&D is charging only for the normal operating expenditures, waiving additional costs which may be incurred as a result of additional materials or hardware beyond that contracted for under the first agreement between the American Paper Institute and the Ford Foundation. It is anticipated that the larger time frame of the program will require additional hardware and additional materials. Also, R&D is constantly revising its materials and adding to the basic educational content. These modernizations will be added at no additional cost.

EV

During this additional time frame all eligible employees will be encouraged to participate. There is no doubt that an informal boycott was undertaken by the black employees in order to stall some participation in

the course pending outcome of the EEOC actions. Now that this has been resolved, the employees have again shown good faith with R&D by demonstrating its support of the program. The president of one of the black unions, who had "gently" resisted the program during negotiation with EEOC, has joined the school, and participated four hours the first day. He has authorized publication of this information throughout the plant. This gesture, in effect, ends the "informal, partial" boycott.

When and how shown

At the outset of the program it was anticipated that only a small number of employees would not be able to read and write. This was grossly underestimated. Over 40 were in this category. However, this problem has been solved by a reallocation of efforts and the design of special courses. In the extension, this will no longer be a problem.

? It no

Classes are now being geared for three levels of learning and students will be grouped according. These groups are: zero-zero (neither read nor write), intermediate and advanced.

There have been personnel changes in the R&D operation of the program. A new senior administrator, Al Varn, has been placed in charge of the program, and the staff was enlarged at Macon. A number of the recommendations made to the Ford Foundation, to Georgia Kraft and to R&D by its own evaluators, have already been included in the program and are either implemented or in the process of being implemented. These are carefully detailed in the appendix.

A total of 100 students will be expected to attend during the extended period.

SUMMARY:

The request for the additional time required to complete the program stems from a combination of factors, the most significant of which was the union's "gentle" boycott of the program pending the settlement of the dispute with the EEOC. It is significant that all the parties to that dispute were careful to insist that any solution be based on successful attendance at the school, and throughout the negotiations, the school was not the subject of any public controversy. In order to protect

check Rindskopf

its position, the union seems to have established a delicate balance between those who attended and those who did not. Full attendance and a delay in an EEOC decision would have eliminated the problem and weakened their case. All of that is now washed away. There is open and active support of the school.

There is no doubt that other problems were uncovered during the first months of the program, but, to USR&D, these are normal operational problems which are frequently encountered when you enter uncharted waters under storm conditions. As a result, improvements have been suggested and agreed upon. There is no doubt that the nine months will produce new problems, but not on the scale or the intensity of the first nine months. R&D, unlike typical corporations, expects to encounter problems and maintains an administrative flexibility to cope with them. For R&D, successful management is reaching a difficult goal without public controversy.

The thrust now, it seems, is not only with the workers in the classroom, but the management in the plants. Georgia Kraft has cleared the way for that close cooperation and the first meetings following this understanding have been unusually productive.

The next nine months will not only be "more of the same" but the conclusion of a historical milestone in the advancement of black people in industry. Together we have created a model which is acceptable to the workers (since it leads to the elimination of what they consider irrelevant tests) and to the management (which admires the voluntary aspect of self-improvement). It is acceptable to the government because it is a precedent and acceptable to the NAACP because it opens the door to the advancement of the specific individuals for whom they were legal advocates.

Rindskopf ?

Other corporations have already begun to visit the Ford experimental program and it appears that the model may be replicated not only in the paper industry, but elsewhere.

GEORGIA KRAFT AND U.S.R. & D. HAVE AGREED TO THE FOLLOWING REFINEMENT OF THE TRAINING PROGRAM:
REF

1. U.S.R. & D. Personnel

   a. A new administrator, Al Varn, has been selected to emphasize the thrust needed in this second phase of the operation. He will live in Rome and divide his time between the two projects.

   b. A Training Director and two Trainers are assigned to the two centers.

   c. All U.S.R. & D. personnel are assigned full time to this project.

   d. Regularly scheduled visits and evaluations of the program from U.S.R. & D. Corporate Offices are authorized. Supervision of this aspect of the program is the responsibility of Martin Lefkowitz.

   e. Georgia Kraft has scheduled bi-weekly plant tours for the entire U.S.R. & D. staff.

   f. Varn is now working closely with Bill Sloan and will submit periodic progress reports as requested.

2. Enrollment

   a. A re-interview of a majority of eligible employees to obtain an understanding of employees' needs will be conducted. Results of interviews to be discussed with Bill Sloan so interviewer can obtain the best possible perspective.

   b. A brochure is being prepared especially for eligible employees, but will also be distributed to all employees. The brochure will contain pictures and explanation of what the training can do for eligible employees and further explain project to all others concerned.

   c. Visits to eligible employees in their homes will be continued.

(1)

BUDGET

TITLE	YEARLY SALARY	9-MONTH SALARY
I. ADMINISTRATOR	$18,000	
FRINGE BENEFITS 15%	2,700	$15,525
TRAVEL (OVERALL)		7,500
ADMINISTRATIVE SECRETARY	6,000	
FRINGE BENEFITS 15%	900	5,175
	TOTAL	$28,200
II. MACON FACILITY		
TRAINING DIRECTOR	15,000	
FRINGE BENEFITS 15%	2,250	12,937.50
2 GROUP LEADERS @$12,000	24,000	
FRINGE BENEFITS 15%	3,600	20,700
WEEKLY EXPENSES $150.00/37 WEEKS		5,550
	TOTAL	$67,387.50
III. ROME (FACILITY)		
TRAINING DIRECTOR	15,000	
FRINGE BENEFITS 15%	2,250	12,937.50
GROUP LEADERS 2@ $12,000	24,000	
FRINGE BENEFITS 15%	3,600	20,700
WEEKLY EXPENSES $150.00/37 WEEKS		5,550
	TOTAL	$106,575.00
MANAGEMENT SUPPORT FEE FOR SUPERVISION OVER NINE MONTHS BY THE R&D CORPORATION		15,000
	GRAND TOTAL	$121,575.00

No Ga Kraft contribution beyond some mgt time, using facilities, a

Za Kraft

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

January 8, 1970

Dr. Emery Via
5 Forsythe St., N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

Enclosed is a report for the month of November by United States R & D Corp. on the Georgia Kraft project.

Sincerely,

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw
Enclosure

United States R & D Corp.

SUITE 3210 · 605 THIRD AVENUE · NEW YORK, N. Y. 10016

212 682-0284

EXECUTIVE OFFICES

December 19, 1969

Mr. William B. Gittens, Vice President
Personnel Administration, Industrial Relations
The American Paper Institute
260 Madison Avenue
New York, New York

Dear Mr. Gittens:

Please find enclosed a status report on the Georgia Kraft Industrial Education Centers from Al Varn, our Project Administrator for both the Rome and Macon Centers.

This report covers the month of November.

Please let me know if you would like any other information on the progress of the project.

Sincerely,

Judith W. Fensterer

Judith W. Fensterer

United States R & D Corp.
SUITE 3210 - 605 THIRD AVENUE - NEW YORK, N. Y. 10016
212 682-0284

EXECUTIVE OFFICES

MEMORANDUM

TO: WILLIAM B. GITTENS

FROM: AL VARN

DATE: DECEMBER 19, 1969

STATUS REPORT - GEORGIA KRAFT INDUSTRIAL EDUCATION CENTER:

This report is a summary of the activities and developments in the Georgia Kraft Project from the time of my arrival on October 15, 1969 through the present date.

PRIORITIES ESTABLISHED

Previous to and shortly after my arrival, a series of meetings were held between Georgia Kraft and U. S. R&D personnel. Taking full note of the problems already encountered and the lessons already learned, the meetings helped us establish the following list of priorities for action. As several projects were scheduled to happen simultaneously, the number sequence is not necessarily an assignment of importance.

1. Assign a full time project director who would live in Rome, Georgia.

2. Implement a forceful recruiting campaign to attract and hold a greater number of eligible workers. This campaign would include the use of the following facts and techniques:

a. The Kraft decision to eliminate tests as a progression requirement if the worker completes the required course at one of the Centers;

b. A printed brochure describing the aims and benefits of the program;

c. Personal contact, and if need be, visits to the homes of the eligible workers;

d. Advising the company when a recruiting attempt has been unsuccessful, so that management can have a chance to persuade the reluctant worker to attend.

3. Assign a full staff complement of one training director and two instructors at each Center.

4. Have all staff members attend a one-day orientation meeting sponsored by the Wharton School of Business and Finance. This session would be designed to give a thorough briefing on the past and present employment of black people in the paper industry and background information on the paper industry.

5. Schedule regular weekly meetings and class incolvements with Kraft supervisors and industrial foremen. These meetings would be attended by all U. S. R&D personnel.

6. Revise both HRD and Basic Education curricula to more closely fit the industrial setting of this project.

7. Submit progress reports to Kraft on a regular basis.

8. Require all U. S. R&D personnel to become completely familiar with the paper making process. This would necessitate frequent plant tours and closer relationships with

Kraft supervisory personnel.

PROGRESS AND FUTURE PLANS

Using the same numbered priorities, the following progress and plans have been made:

1. A new director has been assigned and as soon as his FHA housing loan is approved, he will be a resident of Rome.

2. A new recruiting drive has been started. With the exception of the brochure, which should be available within a few days, all of the described techniques are being used. The combined results show that eight (8) new trainees have signed up; ten (10) inactive trainees have come back into the program; and an additional fourteen (14) eligible Kraft employees have shown considerable interest and are listed as potential trainees.

3. Macon has a full staff. Rome has a training director and one instructor. The other instructor for Rome has been identified and will join the staff shortly.

4. This one-day orientation meeting with the Wharton School has been scheduled by our New York office and will occur during the month of January.

5. Weekly meetings are now scheduled and are occurring between Kraft and U. S. R&D personnel.

6. Curriculum revision is now under way. The Basic Education program will be strengthened by the use of new materials from U. S. R&D. These include a non-readers course, a GED course, a physics course, and a home study kit. These new materials are expected during the month of January. The HRD segment has been extensively revised into three parts entitled My Company, My Job, and Myself. This curriculum is designed for close coordination with the Basic Education course and calls for considerable involvement on the part of Kraft supervisors.

7. Except on an informal basis, status reports have not yet been made to Kraft. This will be started immediately.

8. The familiarization program is under way. Plant tours have already been made and U. S. R&D people have established an open-door policy to the offices of most of the Kraft supervisors.

Although the basic priorities have been covered in the above section, I feel that the following topics are worthy of further elaboration:

RECRUITING:

We are talking to eligible trainees on every possible occasion. We have visited them in their homes, on their jobs, and everywhere else we could find them. Probably the most effective method we have devised so far is the practice of setting up half-hour interviews on company time, with the

interview being held in our Centers.

Regardless of method used however, we are at times confronted with a small hard core group of workers who seem to have made up their minds that they will not attend the Centers under any circumstances. Part of their reluctance may stem from the rush of the Christmas season so I hesitate, at this time, to speculate on possible deeper, underlying reasons. At any rate, we are continuing our efforts and we have several promises from potential trainees to show up after the New Year.

ENROLLMENT:

Counting our new sign-ups, our enrollment now presents the following picture:

Total Eligible For Training	- 120
Total Who Signed Up For Program	- 93
Still Trying To Recruit	- 27

Out of the 93 who have signed up:

Attending on a Regular Basis	- 50
Attending On a Sometime Basis	- 33
Not Attending At All	- 10

Our major recruiting efforts are now aimed at the 27 workers who have never signed up plus the 10 trainees who dropped out after enrolling. We are also doing our persuasive best to make regulars out of the 33 inconsistents.

Of significant interest are the activities of those trainees who, through using our facilities, have already qualified for the Kraft progression ladder. Nine of our trainees are in this category: seven (7) put in enough hours to qualify and two more passed the non-mandatory tests.

Out of these nine (9) people who are no longer required to attend our Center in order to be qualified for better jobs, eight are still attending classes on a regular basis. This continued interest is a source of great personal satisfaction for the entire staff of the project.

COMMUNITY ACTIVITIES:

Although not covered by the priority list, U. S. R&D personnel have broadened the scope of their activities in the Rome and Macon communities. As of this date, they have conducted HRD classes in the elementary schools in Macon and have been asked to return for other sessions. They have done the same thing at Mercer University with the same results. Mercer is now exploring the possibility of our people acting as the third party in the event of student-faculty disputes.

OVERVIEW:

I am vastly encouraged by the spirit being shown by both the project staff and the officials of Georgia Kraft. There is

common agreement on the objectives of the program and the inter-company cooperation has been outstanding.

There is also common recognition of the fact that problems have existed in the past, that some are existing now, and that more will probably show up in the future. These obstacles have been dealt with, are being dealt with, and with the spirit now being shown by staff, will be dealt with even more speedily in the future.

American
Paper
Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

February 13, 1970

Dr. Emery Via
5 Forsythe St., N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

Enclosed is a copy of the December report on the Georgia Kraft project received from United States R & D Corp. on February 2, 1970.

Very truly yours,

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw
Enclosure

United States R & D Corp.
SUITE 3210 - 605 THIRD AVENUE - NEW YORK, N. Y. 10016
212 682-0284

EXECUTIVE OFFICES

February 2, 1970

Mr. William B. Gittens, Vice President
Personnel Administration and
Industrial Relations
American Paper Institute
260 Madison Avenue
New York, New York 10006

Dear Mr. Gittens:

Please find attached a much-delayed report for December 1969 covering the activities of the Kraft Project. Al Varn was hospitalized in mid-December and is just now getting back on his feet full-time.

A January report will be forwarded to you shortly.

Sincerely,

Judith W. Fensterer

Judith W. Fensterer

United States R & D Corp.

TO: WILLIAM B. GITTENS

FROM: AL VARN

RE: PROJECT KRAFT - STATUS FOR DECEMBER 1969

This report is a brief summary of the developments and activities of the Georgia Kraft Project for the month of December 1969.

Following the outline of last month's report, the same format will be used here. Again, as several projects were scheduled to happen simultaneously, the sequence does not necessarily reflect importance.

PRIORITIES ESTABLISHED AND PROGRESS

(1) A full-time project director has established his residence in Rome, Georgia.

(2) A forceful recruiting campaign has been instituted, making use of the following procedures:

a) Georgia Kraft has adopted a new policy of allowing an employee, enrolled in the R&D training program, to bid on jobs and transfer into lines of progression on the agreement that he will continue his training and successfully complete the program.

b) A brochure has been designed and is now in the hands of Georgia Kraft officials for their remarks, additions or changes. It is expected to go to the printer this week.

c) Personal interviews are being held with eligible employees who either have not enrolled or who dropped after brief attendance. This involves the training director coming in as early as 6:00 a.m. or staying as late as 9:00 or 10:00 p.m. in order to see these men. Home visitations are being used, as well as seeing men in their neighborhoods, in continuing staff efforts at recruiting.

d) Written reports are being submitted to the Industrial Relations Departments each time a potential enrollee is counselled, thus enabling the IR managers to have a chance to encourage the employee to attend training.

(3) Curriculum revision has included job-related vocabulary, mathematics and training in the operation of a calculator, all pertinent to operations at Kraft. Attached is a vocabulary list which is used in both HRD and Basic Education classes. A class in the operation of a calculator for those men wishing to progress to the Scaling Department of the Wood Yard has been instituted and men assigned by the IR Department are being instructed.

(4) In Macon, the master mechanic of the Maintenance Department spoke to the combined afternoon groups on the relationship of his department to the overall operation of Georgia

Kraft, the importance of the training program and its relationship to each trainee's job, his family and himself. It is hoped that this kind of supervisory involvement will be the frequent procedure in both locations.

ENROLLMENT AND ATTENDANCE

The course of attendance took a sharp decline toward the end of the month. The reasons for this were the last minute details of the holidays.

However, immediately after the holiday season, attendance remained at an ebb. Follow-up by the staff showed an increase in overtime and the inclement weather as chief factors in the attendance problem. In one case, eleven trainees who previously had good attendance records were found to be working ten and twelve hour shifts in the plant.

Enrollment figures as of this date are:

	Rome	Macon
Total Eligible for Training	65	48
Total Who Signed For Program	43	43
Still Trying to Recruit	22	5

Out of the 43 in both locations who have signed for program:

Attending on a Regular Basis	14	19
Not Attending At All	9	8
Attending on an Occasional Basis	9	6
Number of Men Now Qualified	11	10

Of the eleven men in Rome who are qualified, none have elected to bid on job openings posted because of wanting to wait for their particular job preference to come available. Three

men, not yet qualified, but enrolled in the program, have been transferred to jobs in the lines of progression as a direct result of their affiliation with the training center. Follow-up is being conducted with these men every week to insure their stability in their new positions.

COMMUNITY ACTIVITIES

The Rome staff has made contact with the Guidance Department of a local Junior High School which has requested the training director to conduct an in-school Human Resources Development class in an effort to bring about closer harmony within the student body. Berry College, of nearby Mount Berry, Georgia, is exploring the possibilities of instituting the same type of program on their campus.

Macon staff has been working closely with Mercer University officials, assisting them in the planning and development of a community services center.

KRAFT VOCABULARY

The following words have been taken from the various jobs in the production operation of Kraft. Write and learn the definitions of these words. You should become familiar with and use these words daily because they are used in all lines of progression.

PROCESS	PREPARATION	CELLULOSE
PROCEDURE	DIGEST	CORDS
CONTINUOUS	ROTATE	CONTAINER
IMPROVEMENT	HORSEPOWER	PAPERBOARD
DEVELOPMENT	VOLUME	CONSERVATION
BY-PRODUCT	GALLON	FORESTERS
MINIMUM	ANALYZED	RESOURCE
REQUIREMENT	DEGREES° (F & C)	SAWMILL WASTE
EFFICIENT	HYROLYSIS	SLABS
PRODUCTS	COMPOUNDS	EDGINGS
PRINCIPAL	EXCESS	CHIPS
REPLENISH	YIELD	BARK
VITALLY	SATURATED	DRUMS
INTENSE	UTILIZATION	DISCS
DILUTED	FILTER	BOILER
CONVERT (ED)	FILTRATE	SLIVERS
CONVEYED	SULPHATE	CAMBIUM
PNEUMATICAL	PULP	SURGE

Kraft Vocabulary

MAGNET	MOLTEN	SODIUM HYDROXIDE
IMPURITY	SLAG	ALKAI
DISCARDED	SMELT	CALIBRATED
CLARIFICATION	CASCADE	DIGESTER
GRAVITY	PRECIPITATORS	LIGNUM
REFINE	SLAKER	SAPONIFIED
PLIABLE	COUNTERCURRENT	ACIDIFICATION
INTERLACE	WEB	SOLVENT
SYNCHRONIZATION	FELTS	CONDENSER
SUSPENSION	CALENDERING	VENTING
DISPERSED	WINDER	AGITATOR
MESH	TENSILE	VACUM
DIAMETER	TURBINE	CRUDE
TON	PULVERIZED	VISCOUS
VAPORIZATION	COMBUSTION	EVAPORATION
NON	SEDIMENTATION	METER
CYCLE	CAPACITY	EDOTHEMIC
VITAL	AERATION	COMPOSITION
PROCUREMENT	MILLWRIGHT	VOLT
SOLUBLE	PIPEFITTERS	ROSIN
EFFLUENT	FOUNDRY	LAGOON
CASTING	CENTRIFUGE	CAUSTICIZATION
RETENTION	KILNS	CARBON DIOXIDE
AMP	FLAKE	CHLORINE
RECOVER	MULLEN	CHEMICAL
ELECTRICIAN	FOUR DRINIER	INSTRUMENT
CAUSTIC	APPRENTICE	ACID
SCURRY	REEL	CAUSTIC SODA
SALT CAKE	ADDITIVE	TALL OIL

Ford Fd — Ga. Kraft Project

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D. C. 20006 / (202) 296-7966

April 27, 1970

Dr. Emery Via
5 Forsythe St., N. W.
Atlanta, Georgia 30303

Dear Dr. Via:

Enclosed is a status report summarizing the activities in the Georgia Kraft project during the months of January, February and March, received from United States R & D Corp. today.

Very truly yours,

Wm. B. Gittens/w

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw
Enclosure

United States R & D Corp.

TO: AMERICAN PAPER INSTITUTE

FROM: UNITED STATES R&D CORP.

RE: STATUS REPORT - GEORGIA KRAFT PROJECT

DATE: APRIL 15, 1970

NEW DIRECTOR

John Mansager, a U. S. R&D employee for the past 2 1/2 years, was appointed Director of the Kraft Project on March 15, 1970. Prior to this assignment, he served as Director of Training at R&D Industrial Education Centers in Bridgeton, New Jersey, Charleston, South Carolina and Columbus, Georgia. He and his family are now residing in Rome, Georgia.

STATISTICS

Presently, twenty-eight members of the affected class group have qualified for lines of progression -- fifteen men in Rome, and thirteen men in Macon. Of those not yet qualified, it is projected that forty-one men will qualify by the end of the program, in August 1970. This projection is based on the number of hours the trainees have presently completed and their continuing to attend classes for a minimum of six hours per week.

In addition to the above, twenty-four men have completed some hours, and could potentially qualify if they completed more than the required six hours per week.

ATTENDANCE

Attendance during the past couple of weeks has been on the up-swing, particularly at the Rome Center. This appears to have resulted from several factors:

(1) The Industrial Relations managers at both the Rome and Macon plants personally called each of the eligible men into their offices and encouraged them to become more actively involved in the program.

(2) The members of the eligible group have been motivated to more seriously consider bidding for jobs in other lines of progression because of a recent court decree which recognized seniority based on length of time employed rather than length of time on a particular job. This will enable them to maintain their present seniority status should they get into another line of progression. Of course to get into another line of progression, they need to be qualified. Hence, an increased interest in our program.

(3) At the Rome plant, three members of the training group have successfully bid for jobs previously closed to them. This has provided encouragement for the others to maintain their attendance.

(4) Finally, there has been an increasing awareness on the part of some of the more influential members of the eligible group that the program ought to be taken seriously, since it is the fastest way for them to meet qualification standards (they would prefer no test or educational requirements.). Their current positive attitude toward the program, strongly encouraged by R&D staff, has had a positive effect on others.

In addition, eight of the trainees at the Rome Center who qualified by completing the required number of hours have enrolled in a special, GED preparation program. The objective of this program is to help them acquire the skills needed to pass the General Equivalency Degree test, and receive their high school diplomas.

NEW PROGRAM

In April, a new program will be undertaken at both the Rome and Macon Centers. Each Center will enroll ten men who are not presently employees of Georgia Kraft. The twenty enrollees will be selected from applicants who have come close to passing Georgia Kraft qualifying tests, and who are acceptable for employment in every other way.

They will be given a fifteen-week program with the objective of helping them develop the skills needed for qualifying. The program will culminate in their re-taking the test battery. Thos who successfully complete the tests will be offered employment with Georgia Kraft as openings occur.

Classes will be held two hours a night, three nights a week. Enrollment at each Center will consist of seven Negro and three white trainees.

HUMAN RESOURCES DEVELOPMENT TRAINING

Efforts are presently underway to get Georgia Kraft supervisory personnel more actively involved in the program. Wednesdays have been set aside as Human Resources Development (HRD) day. Whenever feasible, supervisors and other administrative personnel will be invited to participate in these sessions. The first session under the new training schedule involved the Assistant Superintendent of the Pulp Mill in attendance at the Rome Center.

Other training exercises and objectives for the remaining months of the program have been delineated and scheduled by R&D and Kraft personnel:

ADULT BASIC EDUCATION

These sessions are designed to enable the trainees to successfully perform those jobs they may advance to. Trainees will participate in the following exercises:

(1) How to Take a Test... a program disigned to help persons take tests effectively.

(2) Principles of Physics (Machines)... a program designed to help persons understand how machines work, the basic laws of physics regarding machines.

(3) The Paper Making Process: A Reader... A reader designed to both help the trainees understand the paper making process, and develop vocabulary related to the process.

(4) Paper Mill Math... A math curriculum designed to help the trainees learn those mathematical processes needed to perform the jobs for which they may bid.

(5) Communications Skills... Exercises designed to help trainees develop skills at both giving and receiving verbal information, specifically related to job tasks.

(6) Completing Forms... Exercises designed to help them develop skills at completing those forms employees are normally required to complete

(7) U. S. R&D Basic Education Program... Programmed materials designed to help people develop general reading, math and language skills.

(8) Continuing Education... A survey of local education opportunities available to trainees.

In addition, other kinds of reading exercises will be given, such as the newspaper and comprehension exercises at helping trainees both understand Georgia Kraft processes, and develop reading skills.

HRD SESSIONS

These sessions are designed to help the trainees develop the personal skills necessary for them to participate effectively in work group situations. The emphasis is on behavior and attitude, with tasks designed to help them gather the information they need to make sound descisions regarding their future.

Since one of the objectives of the program is to help people develop effective group behavior, all sessions will be conducted in small groups, using principles of small group process.

Following are the tasks the groups will be presented with:

(1) Human Relations...(an underlying agenda for all sessions) Orientation to groups and group membership; briefing on HRD program; assessment of group attitudes and feelings regarding themselves.

(2) Information Gathering...Resource person (IR) clarifying "affected class" status, role of program, responsibilities of trainees, lines of progression (charts and illustrations); follow-up discussion of trainees' attitudes toward this.

(3) Information Gathering...Background of Georgia Kraft/the paper industry (movie); the paper making process.

(4) Orientation to the different departments; kinds of jobs in each; skills required; lines of progression; Resource Person: supervisor; slides; (this will take as many sessions as there are departments.)

(5) Information Gathering: Plant tour...a look at and description of the various jobs and processes. Tour guides needed.

(6) Information Gathering...Company rules and regulations; administrative procedures; benefits; resource person from personnel describing each; follow up discussions.

(7) Human Relations...How the employer sees the employee/ how the employee sees the employer -- discussion with trainees and management level person sharing ideas and attitudes.

(8) Human Relations: Attitude. Discussion of its effect on work groups; dealing with feelings.

(9) Decision Making...Skills; personal skills; job skills; How skills are developed (exercises); risk taking; confidence; achievement. Personal Assesment.

(10) Communication Skills...Listening and following directions (exercise); how to say things in an effective way; giving information.

(11) Human Relations: Problem Solving...Dealing with on the job problems (case studies)

(12) Problem Solving...Dealing with off the job problems (finances, legal problems, family life -- information and discussion)

(13) Safety...Resource person describing plant procedures and hazards; reading exercises.

(14) Group Decision Making...Personal assement and feeback, planning.

In addition, agenda raised by the group as relevant to their job or personal life will be dealt with.

COUNSELLING

Periodic, scheduled sessions are being held with individual trainees to help them evaluate their progress, resolve problems, and formulate realistic plans for the future.

Ford — Ga Kraft Project

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

May 27, 1970

Dr. Emery Via
5 Forsythe St., N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

Enclosed is a status report summarizing the activities in the Georgia Kraft project during the month of April, received from United States R & D Corp. today.

Very truly yours,

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw
Enclosure

United States R & D Corp.
SUITE 3210 - 605 THIRD AVENUE - NEW YORK, N. Y. 10016
212 682-0284

EXECUTIVE OFFICES

TO: THE AMERICAN PAPER INSTITUTE

FROM: UNITED STATES R&D CORP.

DATE: MAY 25, 1970

RE: KRAFT PROJECT - APRIL STATUS

STATISTICS

During the month of April, nine (9) more trainees qualified by completing the required number of hours -- three (3) in Rome and six (6) in Macon.

This brings us to a total of 37 qualified trainees -- 18 in Rome and 19 in Macon.

Rome Center	Number	Percent of Eligible
1. Qualified.....	18	28%
2. Enrolled.....	17	26%
3. Eligible but not attending....	29	46%

An analysis of those not attending (based on follow-up and talks with individuals) indicates that:

1 person isn't attending because he thinks he's too old.

15 do not feel, for various reasons, that the program would benefit them.

13 have either personal problems at home, or other jobs that prohibit their putting in the time for the program.

Macon Center	Number	Percent of Eligible
1. Qualified.....	19	36%
2. Enrolled.....	18	34%
3. Eligible but not attending..	15	30%

An analysis of those not attending (based on follow-up and talks with individuals) indicates that:

3 are presently disabled and unable to attend, but have put in an average of 60 hours each.

12 do not feel, for various reasons that the program would benefit them.

On several occasions, those not attending have been sent letters encouraging them to enroll. They have been personally called in and counselled by staff. And, they have been talked to by the Industrial Relations managers on several occasions. Each time these efforts are made, one or two will enroll, so we are continuing these efforts on a systematic basis.

HRD PROGRAM

A very well received HRD program has been started at both Rome and Macon. Each Wednesday afternoon, a supervisor or superintendent from one of the departments has come to the Center to participate in a group session with the trainees.

The objective of the sessions is to inform the trainees about the various departments in the plant. While many of the trainees have worked for Georgia Kraft for quite a number of years, they have only an "observer's" knowledge of the various jobs in each department.

The resource person first fills them in on the operation of the department, its role in the overall production process, and then outlines in detail the different jobs. He also brings appropriate visual aids to help clarify what he is talking about.

Trainee attendance at these sessions, has, on the average, been the best for any single group of classes.

Speakers at the Rome Center

Mr. Padgett, Assistant Superintendent of the Pulp Mill

Mr. Al Shepherd, Supervisor in Finishing and Shipping

Mr. A. P. Simpson, Supervisor in the Power House

Speakers at the Macon Center

Mr. Otis Hutto, Master Mechanic

Mr. O. T. cook, Pulp Mill Superintendent

Mr. J. F. Rodgers, Paper Mill Superintendent

Nr. Jim Frady, Technical Director of the Control Lab

EVENING PROGRAM FOR NON-GEORGIA KRAFT PERSONNEL

To more effectively use the training facility and staff capability, Georgia Kraft has approved and helped to implement an evening program for non-Georgia Kraft employees. All of the participants have, at one time, applied with Georgia Kraft, but did not successfully complete the pre-employment test battery.

The objective of this program is to help the trainees gain the competence they need to meet Georgia Kraft's employment standards.

Each trainee in the program has been given the Stanford Achievement Test. Of the six trainees enrolled in Rome, five are high school graduates and one completed the eleventh grade.

Their average achievement test results are:

Math..... 7.2 grades

Language.....6.9 grades

or an overall average grade achievement level of 7.0 grades.

However, these figures are deceiving. A staff member went over each test with the trainee who took it, and discovered that at least 50% of the errors made were because of carelessness or incompetence in taking the test. Things like putting the answer in the wrong place, misreading the question, etc.

Because of this, one of the programs being emphasized is how to improve test scores. The HRD program with the night enrollees has intitially dealt with familiarizing them with Georgia Kraft -- its policies, procedures and operations.

The program began on April 13, 1970 and will last for 15 weeks. Trainees attend two hours per night, three nights per week. Six trainees are presently enrolled in Rome, and 4 in Macon.

As the program progresses, we are planning to increase the enrollment to 10 at each Center.

GED PROGRAM FOR QUALIFIED TRAINEES

Those trainees who complete the required hours for qualification are still encouraged to continue their attendance at the Centers. To stimulate this, a special G.E.D. preparation program has been instituted in Rome which aims to prepare the trainees to take the Georgia General Equivalency Degree Exam and get their high school diplomas.

SEMINAR

Georgia Kraft is projecting holding a seminar for other paper industry representatives in late June or early July. Purpose of the seminar will be to discuss innovative educational procedures for adult learners.

Ga. Kraft Project

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

DIVISION OF NATIONAL AFFAIRS
SOCIAL DEVELOPMENT

June 16, 1970

Mr. Emory Via, Director
Center for Resources Development
Southern Regional Council
5 Forsythe Street, N.W.
Atlanta, Georgia

Dear Emory:

I'm writing belatedly to inform you about something I suspect you already know: i.e., we will be doing some somewhat more intensive in-house monitoring of the Georgia Kraft project. Frank Hartmann of Mike Sviridoff's staff will be doing the monitoring for us, and I understand that he has already contacted you about the project.

Last year you monitored the project as a favor to the Foundation, and I want to thank you for your efforts in this regard. Now, with your new position and its expanded duties, with the availability of Hartmann for such monitoring work, and with the passage of the Tax Reform Act and its new, heavier monitoring responsibilities, I thought it best to have someone in-house pick up the official monitoring responsibilities and relieve you of any feelings you might have of this being an extra burden for you. Frank tells me that you intend to visit the project anyway as part of your normal work for the Council. Please, however, don't feel that you need write us a special report on your visit, though I hope you'll keep in touch with Hartmann.

Thanks for all your efforts in the past.

Sincerely yours,

Basil J. Whiting
Program Officer

Fund - Ga Kraft Project

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

July 15, 1970

Dr. Emery Via
5 Forsythe St., N. W.
Atlanta, Ga. 30303

Dear Dr. Via:

Enclosed is a copy of the June status report on the Georgia Kraft project received from United States R & D Corp. today.

Very truly yours,

Wm. B. Gittens/w

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw
Enclosure

United States R & D Corp.

SUITE 3210 - 605 THIRD AVENUE - NEW YORK, N. Y. 10016

212 682-0284

EXECUTIVE OFFICES

TO: AMERICAN PAPER INSTITUTE

FROM: UNITED STATES R & D CORPORATION

RE: STATUS REPORT: JUNE, 1970

DATE: JUNE 30, 1970

STATISTICS

Five trainees, three men at Macon (Eddie S. Thomas, Joy O. Stephens and Henry Callaway) and two at the Rome plant (H.C. Johnson and Johnnie Pinkard) qualified by completing the program during the month of June.

Forty two trainees, twenty two at Macon and twenty at Rome, now successfully qualified since the program commenced. We estimate an additional twenty men will complete the program before September.

We are also developing a special "test preparation" course for those trainees who would like to qualify by passing the Standard Georgia-Kraft test, but do not wish to complete the required number of hours. It is hoped that this will encourage greater participation among those eligible but not yet enrolled. We plan to commence this phase in September.

EVENING PROGRAM FOR NON-GEORGIA KRAFT EMPLOYEES

Five weeks remain in the special evening program. Presently, we have seven trainees enrolled in Rome, and three in Macon on July 31,1970, and those who successfully complete it, will be eligible for employment with Georgia Kraft.

PAPER INDUSTRY SEMINAR

We have been engaged with Georgia-Kraft representatives in planning and organizing to be held at Rome, Georgia on July 8-9. The objective is to inform paper industry representatives about the Georgia Kraft Company program, American Paper Institute and Ford Foundation programs.

Attached is a copy of the seminar program.

FORD FOUNDATION MONITORING PROGRAM

As part of the Ford Foundation's program to monitor its grants, Mr. Frank Hartman visited the project on June 22-23, 1970.

HRD PROGRAM

The Wednesday HRD session continues to draw interest from the trainees. Last Wednesday, June 24th, 13 trainees attended a session dealing with "rumors." Objective of this session was to help examine their sources of information, and how the information they receive affects the decisions they make and the attitudes they form about things.

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

Ford Found. – Ga Kraft Proj.

July 24, 1970

Dr. Emery Via
5 Forsythe St., N. W.
Atlanta, Ga. 30303

Dear Dr. Via:

Enclosed is a status report summarizing the activities in the Georgia Kraft project during the month of May which we received from United States R & D Corp. today.

Sincerely yours,

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw

Enclosure

United States R & D Corp.
SUITE 3210 - 605 THIRD AVENUE - NEW YORK, N. Y. 10016
212 682-0284

EXECUTIVE OFFICES

TO: AMERICAN PAPER INSTITUTE

FROM: UNITED STATES R & D CORPORATION

RE: STATUS REPORT: MAY 1970

DATE: MAY 30, 1970

STATISTICS

No trainees completed their program for qualification during the month of May. Although some trainees were eligible, a combination of overtime work and "Spring planning" interferred with their attendance and qualification.

Thirty-seven trainees have qualified since the program began.

It is projected that 10 trainees will become qualified during June. All are within 24 hours of completion.

UPGRADING

In Rome, six trainees who are attending, or who have completed the U.S. R&D Training Program have thus far been upgraded into jobs formerly closed to them:

a-One (1) has transferred to the Pulp Mill as a Pulping Helper/Utility.

b-One (1) has been promoted to Knife Grinder in the Woodyard.

c-One (1) has transferred to Finishing and Shipping as a Car Unloader.

d-Two (2) have been promoted to Control Helper "A" in the Woodyard.

e-One (1) has transferred to Maintenance as a Millwright Helper.

In Macon, two trainees have been upgraded:

a-One (1) has transferred to the Pulp Mill as an Attendant.

b-One (1) has transferred to Maintenance as a Millwright Helper.

RECRUITMENT

Recruitment goes on constantly to encourage those who are eligible but not attending to attend the program. During the past week in Rome, two eligibles have begun attending.

The upgrading of several members of the affected class during the past month has served as an incentive for those not yet attending. It is expected that with counseling and encouragement, many, of the eligibles will be motivated to enroll in the program. Our objective is to encourage at least half

of those not presently attending to begin. (Fifteen (15) in Rome and eight (8) in Macon).

HRD PROGRAM

During the month of May, the following supervisory personnel attended the sessions at Rome and Macon:

Rome

a-Dick Hill, Technical Director of the Control Lab

b-Fred Fezette, Purchasing Agent for the Stores

Macon

a-W.N. Bowen, Superintendent of the Power House

b-J.R. Chestnut, Supervisor in Finishing & Shipping Depart.

This program continues to have high interest and attendance on the part of the trainees.

SPECIAL EVENING PROGRAM

Nine have been enrolled in the special evening program at Rome (for non-Georgia Kraft employees); eight are still attending. One trainee terminated because he was unable to maintain his present job and attend the program.

Five have been enrolled in the Macon Center. Three are presently attending. One terminated because of a part-time job he had at night; the other because he could not afford to attend the program.

With this group, special materials in physics and improving test scores are used. There is also a heavy concentration on math and language skills. The ojbective is to prepare them to successfully meet Georgia Kraft Qualification Standards.

The program is presently in the 7th week, and will be completed on July 31, 1970.

OEO PROGRAM

Of the trainees who have previously qualified, five are continuing to work on a special GED program in Rome, and four have begun the same program at Macon.

SEMINAR

A seminar will be held July 8 - 9, 1970, for approximately 30 persons associated with the paper industry. Topic of the seminar will be: INNOVATIVE ADULT EDUCATION. The objective will be to inform the participants of the program and results thus far at Georgia Kraft as well as discuss and share ideas on how to effectively implement adult education programs in a paper mill context.

1/17/70 Fund Foundation: Ga. Kraft

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

August 13, 1970

Dr. Emery Via
5 Forsythe St., N. W.
Atlanta, Ga. 30303

Dear Dr. Via:

Enclosed is a status report summarizing the activities in the Georgia Kraft project during the month of July which we received from United States R & D Corp. today.

Sincerely yours,

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw

Enclosure

Copy this report for Valdes

United States R & D Corp.

SUITE 3210 - 605 THIRD AVENUE - NEW YORK, N. Y. 10016

212 682-0284

EXECUTIVE OFFICES

TO: AMERICAN PAPER INSTITUTE

FROM: UNITED STATES R & D CORPORATION

RE: STATUS REPORT: JULY, 1970

DATE: AUGUST 10, 1970

STATISTICS

Seven trainees completed the program during the month of July, five at Rome and two in Macon. This brings the total of those completing the program to fifty one (51) employees, twenty seven (27) in Macon and twenty six (26) in Rome.

AWARDS CEREMONY

Certificates have been awarded to all trainees who have qualified to date. The certificates were presented to the trainees by the respective Division Managers at awards ceremonies hold at both Rome and Macon plants.

PAPER INDUSTRY SEMINAR: JULY 8 - 9, 1970

On July 8 - 9, 1970, a seminar on Innovative Education was held at the Krannert Division of Georgia Kraft Company, Rome, Georgia.

Purpose of the seminar was to demonstrate the educational procedures being used in Georgia Kraft Company's demonstration project to up-grade laborers. The seminar also gave paper industry personnel an opportunity to share ideas and approaches presently being used throughout the paper industry to up-grade employees.

40 persons participated in the seminar:

1- 23 industrial representatives
2- 2 American Paper Institute representatives
3- 1 Ford Foundation Representative
4- 1 representative from the Southern Executive's Association.
5- 1 representative from the Wharton School of Finance & Commerce
6- 6 representatives from Georgia Kraft Company
7- 6 representatives from U.S. R&D Corporation.

SPECIAL EVENING CLASS FOR NON-GEORGIA KRAFT COMPANY EMPLOYEES

Since April 13, 1970, a special class has been conducted in the evenings from 7:00 - 9:00 P.M., three nights per week for non-Georgia Kraft Company employees.

All of the trainees had previously applied at Georgia Kraft Company for employment, but had failed to meet qualification standards based on Georgia Kraft Company employment tests.

For 15 weeks, the trainees studied math, language, principles of physics, and techniques of taking tests.

Nine trainees were initially enrolled in Rome, and five in Macon. Of the nine enrolled in Rome, six completed the program. In Macon, three completed the program.

On July 27th, those completing the program were once again given the Georgia Kraft test battery. In Rome, all six met the qualification standards and are now eligible for employment with Georgia Kraft. In Macon, two of the trainees met the qualification standards (one has not yet taken the test, but is scheduled to do so next week). We regard this as a significant record of achievement.

During their 15 weeks (90 hours of study), the trainees improved their overall average. Grade increase was 1.5 grades. The Stanford Achievement Test was used for both the pre and the post test.

PROMOTIONS

Jayson McElroy, an employee qualified via U.S. R&D training was transferred last week to the Pulp Mill at the Krannert Division in Rome, a job which was formerly closed to him.

McElroy's promotion brings to seven the number of trainees at the Krannert Division who have moved up in, or transferred to, lines of progression formerly closed to them.

TERMINATION OF PROGRAM

The U.S. R&D Training program is tentatively scheduled to end on September 25, 1970. If at that time, a sufficient number of employees (12) who have not yet qualified are regularly working on their programs to qualify, the program will be extended three months.

At present, those attending have sufficient hours to qualify by September 25th. However, there are about 30 employees in Rome, and 20 in Macon who are eligible for the training, but who are not attending the program. Every effort will be made to get them started.

ATTACHMENTS

1- Picture of Mr. Gittens participating in seminar

2- List of persons attending seminar

3- Copy of certificate awarded trainees qualifying through U.S. R & D Training.

ADDRESS LIST FOR

INNOVATIVE ADULT EDUCATION SEMINAR
ATTENDEES

1. Mr. Patrick J. Kirby
Consultant, Training Programs
American Can Company
100 Park Avenue
New York, N. Y. 10017

2. Mr. Sonya Shepherd
Personnel & Industrial Relations Manager
Boise Cascade Corporation
Box 1000
De Ridder Louisiana 70634

3. Mr. Hurley L. Pinckard
Director of Industrial Relations
Brunswick Pulp & Paper Company
Brunswick, Georgia 31520

4. Mr. John W. Hockman
Personnel Manager
The Chesapeake Corporation of Virginia
West Point, Virginia 23181

5. Mr. Arthur C. Larson
Personnel Manager
Container Corporation of America
Box 312
Brewton, Alabama 36426

6. Mr. Ron Bork
Supervisor of Employee Services
Continental Can Company
633 Third Avenue
New York, N. Y. 10017

7. Mr. Milton L. Kelly
Manager of Employment Opportunity Programs
Crown Zellerbach Corporation
One Bush Street
San Francisco, California 94119

8. Mr. Leonard C. Menius
Personnel Director
Eastex, Inc.
Box 816
Silsbee, Texas 77656

9. Mr. William E. Lloyd
Industrial Relations Manager
Great Northern Paper Company
Southern Division
Box 44

10. Mr. Royce Elkins
Gulf States Paper Corporation
Tuscaloosa, Alabama 35401

11 Mr. Carl Hannah
Personnel Director
Hudson Pulp & Paper Corporation
P. O. Box 919
Palatka, Florida 32077

12 Mr. Lee Weeks
International Paper Company
Southern Kraft Division
Box 1649
Mobile, Alabama 36609

13 Mr. Charles Pittman
Assistant Personnel Manager
ITT Rayonier, Inc.
Jesup Division
P. O. Drawer 528
Jesup, Georgia 31545

14 Mr. C. James Frinak
Manager, Industrial Relations
Kimberly-Clark Corporation
Coosa River Newsprint Division
Coosa Pines, Alabama 35044

15 Mr. H. A. Black
Vice President Industrial Relations
The Mead Corporation
Talbott Tower
Dayton, Ohio 45402

16 Mr. Tom Bunn
Olinkraft
P. O. Box 488
Monroe, Louisiana 71291

17 Mr. Phil Anthony
Owens-Illinois
General Offices
Toledo, Ohio 43601

18 Mr. Carl Ayers
Riegel Paper Corporation
Paper Division - Carolina Operations
Riegelwood, N. C. 28456

19 Mr. John P. Howard
Personnel Manager
St. Joe Paper Company
Port St. Joe, Florida 32456

20 Mr. H. J. Smith
Regional Industrial Relations Manager - Southern
St. Regis Paper Company
Gulf Life Tower
Jacksonville, Florida 32207

21 Mr. Raymond Ketcham
Director of Corporate Employee Relations
Scott Paper Company
Scott Plaza
Philadelphia, Pennsylvania 19113

22 Mr. Thomas E. Hardee
Personnel Director
South Carolina Industries, Inc.
P. O. Box 4000
Florence, South Carolina

23 Mr. Harold H. Wegman
Vice President, Industrial Relations
U. S. Plywood-Champion Papers, Inc.
777 Third Avenue
New York, N. Y. 10017

24 Mr. Robert Zacks
American Paper Institute
260 Madison Avenue
New York, N. Y. 10016

25 Mr. Francis X. Hartmann
Assistant to the Vice President
The Ford Foundation - Div. of Natl. Affai
320 East 43rd Street
New York, N. Y. 10017

26 Mr. Homer L. Humble
Southern Executives Association
One Corporate Square
Suite 280
Atlanta, Georgia 30329

27 Dr. Herbert R. Northrup
Wharton School of Finance & Commerce
University of Pennsylvania
Philadelphia, Pennsylvania 19104

GEORGIA KRAFT COMPANY - 6 people.

U. S. R. & D. - 6 people.

Total ..... ~~39~~ 40

BEST COPY AVAILABLE

Certificate of Achievement

This is to certify that

_____

has successfully completed a course in
Basic Education and Human Resource Development

at the _____ division of Georgia Kraft Company,
administered by the United States Research
and Development Corporation.

_____ ROBERT A. ROCK — VICE PRESIDENT INDUSTRIAL AND PUBLIC RELATIONS

_____ JOHN D. MANSAGER — PROJECT DIRECTOR U. S. R. & D.

Date

Ford - Ga Kraft Project

American Paper Institute

serving the pulp, paper and paperboard industry

1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

September 17, 1970

Dr. Emery Via
5 Forsythe St., N. W.
Atlanta, Ga. 30303

Dear Dr. Via:

Enclosed is a status report summarizing the activities in the Georgia Kraft project during the month of August which we received from United States R & D Corp. today.

Sincerely yours,

Wm. B. Gittens /w

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG;jlw

Enclosure

United States R & D Corp.
SUITE 3210 - 605 THIRD AVENUE - NEW YORK, N. Y. 10016
212 682-0264

EXECUTIVE OFFICES

TO: AMERICAN PAPER INSTITUTE

FROM: UNITED STATES R&D CORPORATION

RE: STATUS REPORT: AUGUST, 1970

DATE: SEPTEMBER 8, 1970

STATISTICS

Two trainees completed the program during the month of August, both at the Macon Center.

Following is an overview of the number of trainees qualifying by months:

OCTOBER 1969	2
NOVEMBER	7
DECEMBER	4
JANUARY 1970	8
FEBRUARY	4
MARCH	4
APRIL	6
MAY	2
JUNE	5
JULY	11
AUGUST	2
	55

PROGRAM EVALUATION

Dr. Joe Rich from Rutgers University examined the program's contents and results for The American Paper Institute on August 19 and 20.

In addition to the above, our project director and the coordinator for the Georgia Kraft Company are preparing a report on all phases of the program. The report is projected for completion in late September or early October.

STATUS OF PROGRAM COMPLETION

The program is scheduled to end on September 25. The Macon Center will close at that time. Twelve trainees have signed up to attend the Rome Center, which will stay open until December 18th if the 12 trainees attend regularly during that time.

The trainees involved in the extension are those who for one and a half years have generally ignored the program. However, having seen a number of the qualified trainees advance into lines of progression, this group has apparently decided to take advantage of it while they can. They tend to be older and academically less advanced than those who took early advantage of the program. We will utilize special methods for non-readers where applicable.

Ford Foundation —
Ga. Kraft Project

American Paper Institute
serving the pulp, paper and paperboard industry
1835 K St., N.W., #705, Washington, D.C. 20006 / (202) 296-7966

November 17, 1970

Dr. Emery Via
5 Forsythe St., N. W.
Atlanta, Ga. 30303

NOV 19 REC'D

Dear Dr. Via:

Enclosed is a status report summarizing the activities in the Georgia Kraft project during the month of September which we received from United States R & D Corp. today.

Sincerely yours,

William B. Gittens/N

William B. Gittens
Vice President, Personnel Administration
and Industrial Relations

WBG:jlw

Enclosure

TO: AMERICAN PAPER INSTITUTE

FROM: UNITED STATES R & D CORPORATION

SUBJECT: STATUS REPORT: SEPTEMBER 1970

DATE: OCTOBER 1, 1970

MACON CENTER CLOSES

The U.S. R&D Center at Macon has closed as of September 25, 1970 (the ending date of the Ford/ A.P.I. contract). As of that date, 30 of the 53 eligible employees had met the requirements for qualification. (Actually only 49 of the 53 were able to participate as four of the employees are out on disability, and have been for most of the program.) This is 60% of those eligible.

Efforts were made by U.S. R&D staff and Georgia Kraft personnel to extend the program in Macon for 12 more weeks to enable more of the group to qualify. It was felt that at least 9 employees would have to participate full time to justify the extension. However, only a couple showed any interest. So the program was terminated at the end of the contract.

EXTENSION OF THE ROME PROJECT

The project in Rome has been extended until December 18, 1970. At present, 26 of the eligible 64 employees have qualified through the program. 17 new trainees have enrolled, and are actively attending classes. It is anticipated that at least 15 of the group will participate actively enough to qualify by December 18th.

TRAINEES QUALIFYING

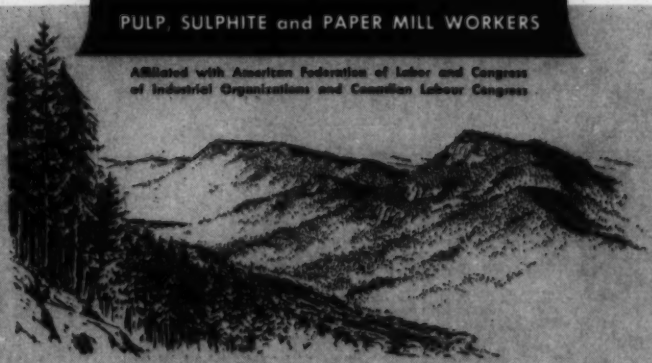
During September, one trainee at the Macon Center qualified.

Constitution-Bylaws

Ritual

INTERNATIONAL BROTHERHOOD OF
PULP, SULPHITE and PAPER MILL WORKERS

Affiliated with American Federation of Labor and Congress of Industrial Organizations and Canadian Labour Congress



UNITED STATES — CANADA

Adopted at a convention held in Burlington, Vermont, January 12-13, 1906; and amended at Northampton, Mass., June 24-28, 1907; Portland, Me., May 3-7, 1909; Albany, N. Y., May 2-5, 1911; Boston, Mass., May 7-11, 1912; New York, N. Y., May 5-9, 1914; New York, N. Y., October 7-11, 1916; Albany, N. Y., October 1-5, 1918; Ottawa, Ont., October 5-9, 1920; Buffalo, N. Y., October 3-5, 1922; Montreal, Que., October 7-9, 1924; October 5-8, 1926; March 5-8, 1929; March 3-6, 1931; April 4-6, 1933; Buffalo, N. Y., March 4-8, 1935; Chicago, Ill., March 16-19, 1937; St. Paul, Minn., March 14-17, 1939; Toronto, Ont., September 8-12, 1941; Toronto, Ont., October 9-13, 1944; Milwaukee, Wisc., September 15-19, 1947; Portland, Ore., August 14-19, 1950; Cincinnati, O., October 5-10, 1953; Milwaukee, Wisc., September 24-29, 1956; Montreal, Que., August 31-September 4, 1959.

Sec'y: Helen

Ga Knapp	API	USRD	Fund
✓ Robert Rock	✓ Edwin Locke, Pres.	✓ Bob Kingsley (V.P.)	✓ Whiting
✓ Hugh Black (Treasurer)	✓ Bill Bibbear (chief contact)	✓ Wm Hedden	Nick
Dean Denlinger, Attyr		Jon. PRINZ, V.P.	
		Wm G. Hess	
		Floyd Flom	
Linnel Lang		✓ Jim Brennan (?)	
Pres Vegas R&S local			

erence to recognized mortality tables, and to provide death benefits which do not exceed the larger of the reserve or the total premiums paid for the annuity benefits. The insurance company is not relieved of this obligation even if the premium is not received because of a breach of the custodian's obligation under the custodial agreement or because of a loss in the annuitant's account, other than a loss from the depreciation in the investment value.

Accordingly, payments made to the bank under the instant arrangement are contributions to purchase an annuity contract, within the meaning of section 403(b)(1)(A) of the Code, if all the other requirements of section 403(b) are met.

The result in this case would have been the same if, instead of making payments to a bank custodian, the employer had made the payments directly to the insurance company and the company had placed the payments in a separate account used for investments generally.

An organization will not jeopardize its exemption under section 501(c)(3) of the Code, even though it distributes funds to nonexempt organizations, provided it retains control and discretion over use of the funds for section 501(c)(3) purposes.

SECTION 501.—EXEMPTION FROM TAX ON CORPORATIONS, CERTAIN TRUSTS, ETC.

26 CFR 1.501(c)(3)-1: Organizations organized and operated for religious, charitable, scientific, testing for public safety, literary, or educational purposes or for prevention of cruelty to children or animals. — Rev. Rul. 68-489

An organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1954 distributed part of its funds to organizations not themselves exempt under that provision. The exempt organization ensured use of the funds for section 501(c)(3) purposes by limiting distributions to specific projects that are in furtherance of its own exempt purposes. It retains control and discretion as to the use of the funds and maintains records establishing that the funds were used for section 501(c)(3) purposes. *Held*, the distributions did not jeopardize the organization's exemption under section 501(c)(3) of the Code.

See also Revenue Ruling 67-149, C.B. 1967-1, 133, holding a charitable organization exempt under section 501(c)(3) where it provides financial assistance to other charitable organizations that are also exempt under section 501(c)(3); and Revenue Ruling 63-252, C.B. 1963-2, 101, and Revenue Ruling 66-79, C.B. 1966-1, 48, for requirements with respect to deductibility under section 170 of the Code of contributions by individuals to a charity organized in the United States that thereafter transmits some or all of its funds to a foreign charitable organization.

PAGINATION INCORRECT

The Mead Corporation, 118 First Street, Dayton Ohio 45402

Number of Employees, December 31, 1966 - 19,413

Directors - * = Members of the Executive Committee

1. V.R. Alden
2. P.V. Allemang*, Vice President
3. A.L. Harris*, Vice President
4. Alfred W. Jones
5. R.S. Laing
6. W. Walker Lewis, Jr., General Counsel
7. J.J. McDonough
8. J.W. McSwiney*, Executive Vice President
9. H.T. Mead*
10. P.F. Miller, Jr.
11. G.H. Pringle*, President
12. G.H. Sheets*, Senior Vice President
13. A.H. Temple
14. C.W. Verity, Jr.
15. J.M. Walker
16. Nelson S. Mead*, Vice President
17. H.E. Whitaker*, Chairman

Other Officers

1. L.R. Growdon, Vice President
2. F.T. Shepherd, Vice President
3. W.J. Cassady, Jr., Vice President
4. R.J. Blum, Vice President
5. H.W. Kampf, Vice President
6. H.A. Black, Vice President
7. R.C. Redd, Vice President
8. R.A. Gilbert, Vice President
9. J.S. Evans, Group Vice President
10. W.W. Wommack, Group Vice President
11. F.H. Chatfield, Group Vice President
12. T.A. Hammer, Treasurer
13. A.H. Sealy, Secretary
14. P.B. Puipus, Comptroller

Information on Directors

1. V.R. Alden
Pres. Ohio University, Athens, O.; ednl. cons. Xerox Corp.; adv. bd. Loeb awards for distinguished reporting of financial and bus. news; mem. exec. com., dir. Boston Safe Deposit and Trust Co.; dir. Digital Equip. Corp., Kendall Corp., Boston; nat. adv. bd. Girl Scouts, U.S.A.; chmn. bd. Inst. Coll. and Univ. Admins.; chmn. Ohio Council Econ. Edn.; chmn. edn. adv. com. Appalachian Comm.; mem. Ohio Small Bus. Adv. Council; adv. bd. Nat. Football Hall of Fame Found.; mem. commn. on fed. relations Am. Council on Edn.; chmn. Pres. Task Force to plan Job Corps program; mem. citizens com. Nat. Library Assn. mem. Phi Beta Kappa, Phi Kappa Phi, Phi Delta Theta, Beta Gamma Sigman, Presbyn. - Home: 29 Park Place, Athens, Ohio

2. P.V. Allemang, Vice President
Pres. dir. Westlab, Inc.; mem. Phi Delta Theta - Home: 1115 Oakwood Ave., Dayton 45419 Office: The Mead Corporation

3. A.L. Harris, Vice President
V.P., dir. Packagemaster, Ltd., Toronto; dir. The Spruce Co. (Dallas), Lamex, Inc. (Atlanta), A.R. Abrams; dir. Atlanta Symphony Guild; trustee Atlanta Art Assn.; S.E. Regional Div. Jr. Achievement; mem. nat. com. Whitney Mus.; mem. Paperbd. Packaging Council (dir.), Nat. Folding Box Assn. (nat. dir.) - Home: 1130 W. Conway Dr. N.W., Atlanta, Ga. - Office: 950 W. Marietta St., Atlanta

4. Alfred W. Jones
Chmn. Sea Island Co.; dir. Brunswick P. and P. Co.; v.p. dir. Seaboard Construction Co.; dir. Thompson Industries, Inc.; Ga. Intl. Life Ins. Co., Westinghouse Elec. Corp., Ga. Kraft Co., 1st Nat. Bank of Atlanta; grad. mem. Bus. Council; dir. Glynn Concrete, Brunswick, Ga.; trustee Thomas and Jones Ednl. Found.; mem. Phi Kappa Psi, Methodist - Address: Sea Island, Ga.

5. R.S. Laing
Pres. Nat. Cash Register Co.; dir. Gen. Mills, Inc., Cincinnati Milling Mach. Co.; Fed. Res. Bank of Cleve.; dir. Montgomery-Grene Counties Fin. Execs. Inst. (trustee), Council on Fgn. Relations, Community Chest; trustee Financial Execs. Research Found., Dayton Art Inst.; mem. Bus. Equip. Mfrs. Assn. (dir.) - Home: 245 W. Thurston Blvd., Dayton 45419 - Office: Nat. Cash Register Co., Main and K Streets, Dayton 45409

6. W. Walker Lewis, Jr., General Counsel
Mem. firm Smith and Schnacke; chmn. Master Consolidated, Inc.; dir. Dayton Aircraft Prods., Inc. Red Vulcan Tool Co., Curtis-King Co., Mead Investment Co., Lion Uniforms, Inc., Bermingham and Manater Corp.; trustee Dayton Private Sch. Found., Am. Med. Found.; mem. Am., Ohio, Dayton bar assns., Dayton Council World Affairs (trustee), Phi Beta Kappa; Delta Tau Delta, Sigma Rho, Episcopalian - Home: 5 Volusia Av., Dayton 45409 - Office: 118 West First St. Dayton 45402

7. J.J. McDonough
Dir. Southern Co., Central of Ga. R.R., West Point-Pepperell, Inc.
Home: 3741 Haddon Hall Rd., N.W., Atlanta 30327

8. J.W. McSwiney, Executive Vice President
V.P., dir. Ga. Kraft Co., Northwood Pulp, Ltd.; trustee Sinclair Community Coll., Dayton - Home: 1500 Devereux Dr., Dayton - Office: The Mead Corporation

9. H.T. Mead
Pres., dir. Mead Investment Co.; dir. Brunswick Pulp and Paper Co., 3rd Nat. Bank and Trust Co. (Dayton), Northland Pulp, Ltd., Ga. Kraft, British Columbia Forest Prods. - Home: David Rd., Dayton - Office: The Mead Corporation

10. Nelson S. Mead, Vice President
No Information

11. P.F. Miller, Jr.
Pres., dir. Drexel Harriman Ripley, Inc.; pres., treas., dir. Drexel Equity Fund, Inc.; dir. Reliance Insurance Co.; trustee U. of Pa., Cedar Crest Coll.; chmn. bd. mgrs, mem. fin. com. Hosp. of U. of Pa.; dir. Financial Analysts Fedn., Fin. Analysts of Phila. - Home: 115 Maple Hill Rd., Gladwyne, Pa. 19035 - Office: 1500 Walnut St., Philadelphia 19102

12. G.H. Pringle, President
Dir. Columbia Gas System, Inc., Savings Bank Co.; mem. TAPPI, Mason (Shriner), Kiwanian - Home: 1 Bellcrest Lane, Chillecothe, Ohio - Office: The Mead Corporation

13. G.H. Sheets, Senior Vice President
Sec. Brunswick Pulp and Paper Co., Brunswick Chemical Co.; dir. Papeteries de Virginal, S.A. Mide Europe N.V., Mead Pulp Sales, Inc., Northwood Pulp, Ltd.; mem. TAPPI (exec. com.) - Home: 60 Harman Terrace, Dayton 45419 - Office: The Mead Corporation

14. A.H. Temple
Dir. Prudential Ins. Co. of G.B. (N.Y.), Hudson Ins. Co., Seaboard Surety Co., Centennial Ins. Co., Moore Corp., Ltd.; trustee Atlantic Mutual Ins. Co. - Home: 11 Paddington Rd., Scarsdale, N.Y. 10583 - Office: 399 Park Avenue, N.Y. 10022

15. C.W. Verity, Jr.
Chmn., Pres., chief exec. off., Armco Steel Corp.; dir. Harding-Jones Paper Co.; 1st Nat. Bank (Middletown), Cataboula Co.; mem. Middletown C. of C., Cin. Council World Affairs, S.A.R., Mayflower Soc. - Home: 600 Thorn Lane - Office: Armco Steel Corp., Middletown, Ohio

16. J.M. Walker
No Information

17. H.E. Whitaker, Chairman
Dir. Brunswick P. and P. Co.; chmn. dir. Ga. Kraft Co.; dir. Winters Nat. Bank (Dayton), Little Miami R.R., Alexandria Forest Prods., Ltd., British Columbia Forest Prods., Ltd.; mem. Am. P. and P. Assn. - Home: 132 W. 2nd St. Chillicothe, Ohio - Office: The Mead Corporation

Principal Plants in Five-State Area

Sylva, Jackson County, North Carolina
Paul C. Ellis, Division Manager; Martin Hook, Production Manager

The Sylva mill produces 295 tons per day of paperboard for corrugating. Its semi-chemical pulp mill produces 270 tons per day of pulp. It is now in the process of converting to an ammonia based system in its pulp mill. This project, which will cost $2.5 million, is scheduled for completion sometime in 1968.

Kingsport, Sullivan County, Tennessee
V.K. Shannon, Division Manager; J.R. Taggert, Assistant Division Manager; C.N. Spencer, Production Manager; J.F. Smith, Superintendent of Pulp Mill

This mill produces 525 tons per day of paper, and its pulp mill produces 260 tons per day of pulp. In 1966 Mead boosted its writing and printing paper capacity by 15 per cent with the start up of a new high-speed paper machine. This machine is the first in the world to have computor controls included in its original design. The crews for the new machine spent three months in class sessions and on-site training. At startup most of the pulp will come from pulp facilities at Kingsport and also from Mead's Brunswick Pulp and Paper Company affiliate.

Harriman, Roane County, Tennessee
H.E. Wehr, Division Manager; W.J. Palmer, Paper Mill Superintendent; Walter Hartmann, Pulp Mill Superintendent; Marvin Jones, Personnel Director

This mill produces 190 tons per day of paperboard for corrugating. Its pulp mill has a capacity of 190 tons per day. In 1966 the mill completed the modernization of its paper machine.

Knoxville, Knox County, Tennessee
S.V. Minskey, Jr., Division Manager; C.R. Voiles, General Superintendent; James W. Adams, Board Mill Superintendent

The Southern Extract Company division of Mead produces 140 tons per day of paperboard for corrugating. Its pulp mill produces 140 tons per day.

Brunswick Pulp and Paper Company, affiliate of The Mead Corporation and Scott Paper Company

Information on Directors of Scott Paper Company is in Report on Pulp and Paper Industry of Alabama, Mississippi, Louisiana and Arkansas

Directors of Brunswick Pulp and Paper Company

1. P.C. Baldwin, Vice President
2. G.H. Pringle, Vice President
3. E.J. Gayner, 3rd, President and Manager
4. A.W. Jones
5. J.L. Madden
6. J.J. Gilbert
7. J.W. McSwiney, Vice President
8. H.E. Whitaker, Chairman
9. H.T. Mead
10. W.H. Nelson, 3rd, Treasurer
11. W.R. Scott, Chairman

Other Officers

1. L.A. Whitle, Vice President
2. G.K. Singletary, Vice President
3. G.H. Sheets, Secretary

4. G. L. Chamberlin, Controller

Brunswick, Glynn County, Georgia
H.L. Pinckard, Personnel Manager

This mill, which has 1,034 employees produces 1,120 tons per day of paperboard. The pulp mill has a capacity of 1,120 tons per day. The company owns 363,636 acres of woodlands in Georgia. In 1966 Brunswick Port Authority approved an $8 million industrial revenue bond issue to finance a plant manufacturing chlorine, canstic, soda, sodium chlorate and other products. This project is scheduled for completion sometime in 1969.

Georgia Kraft Company, affiliate of The Mead Corporation and Inland Container Corporation

Directors and Officers

1. H.E. Whitaker, Chairman
2. P.F. Holton, President
3. E.V. McSwiney, Executive Vice President
4. W.M. Ebersole, Vice President and General Manager, Production
5. H.C. Krannert, Vice President
6. G.H. Pringle, Vice President
7. W.C. Rothermel, Jr. Controller and Secretary
8. U.L. Uebelhoer, Treasurer
9. R.A. Rock, Director of Industrial and Public Relations

Rome, Floyd County, Georgia
D.F. Dykes, Division Manager; E.C. Nixon, Wood Supervisor; A.L. Conner, Paper Mill Superintendent; M.J. Brown, Pulp Mill Superintendent; J.B. Oxford, Jr., Finishing and Shipping Supervisor; W.R. Potter, Industrial Relations Manager

The headquarters of Georgia Kraft Company is in Rome. In 1967 the company constructed a 13,000 square foot research center adjacent to the present corporate offices. The paper mill produces 1,400 tons per day of kraft liner board and corrugating medium. The pulp mill has a capacity of 1,400 tons per day.

Other Plants

The Mead Corporation has container plants at Atlanta and Macon, Georgia, Durham, North Carolina, Memphis, Tennessee ~~and~~ Durham, North Carolina, ~~and~~ Spartanburg, South Carolina. It has a packaging plant in Atlanta, Georgia. Mead expanded its Macon plant in 1966 to provide for the manufacture of large, specially coated, collapsible paperboard drums. In 1967 it completed expansion of its Spartanburg plant. This expansion doubled the size of the plant and included additional equipment for manufacturing and printing corrugated shipping containers.

E.V. ①

Inland Container Corporation, 120 East Market Street, Indianapolis, Indiana 46206

Number of Employees - 4,900

Directors

1. Herman C. Krannert, Chairman
2. George B. Elliot, Chairman of Finance Committee
3. Philip F. Holton, President
4. Robert S. Ashly
5. W.P. Flynn
6. George Murnane, Jr.
7. E.T. Weiler
8. Kurt F. Pantzer
9. Norb F. Schaefer, Sr.
10. Clarence F. Smith

Other Officer

1. Robert B. Turner, Senior Vice President, Sales and Marketing
2. James O. Harris, Group Vice President, Container Board Division
3. C.W. Nerkirk, Senior Vice President, Manufacturing
4. Robert J. Irvin, Vice President, Manpower Planning and Development
5. Richard G. Savidge, Vice President, Business Planning and Development
6. C. Wayne Smith, Vice President, Mill Operations and Engineering
7. Urban L. Ulbelhoer, Vice President, Corporate Administration
8. Norb F. Schaefer, Jr., Group Vice President, Container Division
9. John P. Holton, Group Vice President
10. Robert M. DeGarmo, Vice President and General Manager
11. Don B. Earnhart, Secretary and Treasurer

Information on Directors

1. Herman C. Krannert, Chairman
Founder of Inland Container Corporation; chmn., dir. Anderson Box Co.; v.p., dir. Georgia Kraft Co.; treas., dir. Decker Real Estate Co.; dir. Indiana Nat. Bank, Morgan Packing Co.; pres. dir. Indps.-Marion Bldg. Authority; dir. Indpls. Civic Progress Assn., Herman Charles and Ellnora Decker Krannert Found., Inland Container Corp. Found., Inc.; chmn., trustee Art Assn. Indpls.; mem. N.A.M.; Ind. Mfrs. Assn., Am. Soc. M.E., Fibre Box Assn., U.S., Ind. C. of C., Chi Phi, Republican, Methodist, Shriner - Home: Normandy Farm, New Augusta, Indiana - Office: Inland Container Corporation

2. George B. Elliot, Chairman of Finance Committee
Dir. Ga. Kraft, Fairmont Glass Co., Indiana Nat. Bank of Indpls.; dir. United Fund Greater Indpls., U. of Ill. Found., Indpls YMCA, Herman Charles and Ellnora D. Krannert Found., Inland Container Corp. Found.; mem. Ind. Mfrs. Assn. (pres., dir.) Fibre Box Assn., Phi Eta Sigma, Phi Kappa Tau, Beta Alpha Psi, Phi Kappa Tau; Repub., Christian Church, Rotarian - Home: 7410 N. Illinois St., Indianapolis, Ind.

Mead Corporation, 118 First Street, Dayton, Ohio 45402
Number of Employees as of December 31, 1966: 19,413

Directors of the Mead Corporation - * - Members of the Executive Committee

1. V.R. Alden
2. P.V. Allemang*, Vice President
3. A.L. Harris*
4. Alfred W. Jones
5. R.S. Laing
6. W.Walker Lewis, Jr., General Counsel
7. A.H. Mahrt*
8. J.J. McDonough
9. J.W. McSwiney*, Executive Vice President
10. H.T. Mead*
11. Nelson S. Mead*, Vice President
12. P.F. Miller, Jr.
13. G.H. Pringle*, President
14. G.H. Sheets*, Senior Vice President
15. A.H. Temple
16. C.W. Veritz, Jr.
17. J.M. Walker
18. H.E. Whitaker*, Chairman

Other Officers

1. L.R. Growdon, Vice President
2. F.T. Shepherd, Vice President
3. W.J. Cassady, Jr., Vice President
4. R.J. Blum, Vice President
5. A.L. Harris, Vice President
6. H.W. Kampf, Vice President
7. H.A. Black, Vice President
8. R.C. Redd, Vice President
9. R.A. Gilbert, Vice President
10. J.S. Evans, Vice President
11. W.W. Wommerk, Vice President
12. F.H. Chatfield, Vice President
13. T.A. Hammer, Treasurer
14. A.H. Sealy, Secretary
15. P.B. Puipus, Comptroller

3. Philip F. Holton, President
Chairman Bd. Ga. Kraft; dir., pres. Decker Real Estate Co.; dir. Inland Container Corp. Found.; Herman C. and Ellnora D. Kranner Found.; mem. Fourdrinier Kraft Bd. Inst., Inst. Paper Chem.; mem. Nat., Ind. Mfrs. Assns., Nat. Paperboard Assn., Fibre Box Assn.; Ind., Indpls. C. of Cs., Beta Theta Pi; Episcopalian - Home: 5880 Sunset Lane, Indianapolis, Indiana - Office: Inland Container Corporation

4. Robert Ashly
No Information

5. W.P. Flynn
Chmn. exec. com. Ind. Nat. Bank of Indianapolis; dir. Indpls. Power and Light Co., Continental Steel Corp., State Life Ins. Co., Ind. Bell Telephone Co., treas. dir. Indpls. A.R.C.; trustee Indpls. Found., William E. English Found.; mem. C. of C. (dir.), Roman Catholic, K.C., Knight of St. Gregory - Home: 7320 Holliday Dr. W., Indianapolis 46260 - Office: 3 Virginia Av., Indianapolis

6. George P. Murnane
Investment banker, partner Lazard, Fieres and Co.; trustee Parsons Sch. Design; Republican, Roman Catholic - Home: Cedar Swamp Rd., Glen Head, L.I., N.Y. - Office: 44 Wall Street, N.Y.

7. Kurt F. Pantzer
Partner law firm of Barnes, Hickman, Pantzer and Boyd; v.p. dir. Am. States Ins. Co., Am. States Life Ins. Co., Am. Economy Ins. Co.; dir. Morgan Packing Co., Hoosier Veneer Co., Prefered Fire Ins. Co., Sentinel Indemnity Co., Utility Ins. Co., Ga. Kraft, Lilly Indsl Coatings, Inc., Gen. Ins. Co. Tex., Superior Ins. Co. Tex.; mem. Nat. Fin. Comm. Repub. Party; mem. Council Fgn. Relations, Inc., N.Y.; chmn. Ind. Commn. Uniform Coml. Code; trustee Tudor Hall Sch. Butler U., Holcomb Inst. Fundamental Sci. Res. (chmn.); gov. Assoc. Colls. Ind.; dir. Art Assn. Indpls., Hist. Landmark Found, Ednl. Communications Assn., Ind. Arts Com., Ind. State Symphony Soc., Inc., Starlight Musicals, Inc.; mem. Am. Soc. Intl. Law, Am. Law Inst., Am. Judicature Soc., Am., Ind., Indpls. bar assns., Assn. Bar City of N.Y., Bar Assn. 7th Fed. Circuit, Intl Law Assn. (ed. bd. for Uniform Coml. Code) Nat. Conf. Commn. on Uniform State Laws (chmn. spec. com. Uniform Acts to Prevent Organized Crime, Fed. Communications Bar Assn., Am. Bar Found., Am. Acad. Polit. and Soc. Sci., Old English Water Colour Soc., Walpole Soc., Delta Tau Delta, Phi Delta Phi, Republican, Presbyn. - Home: 4310 N. Meridian St., Indpls. - Office: 1313 Merchants Bank Bldg., Indpls.

8. Norb F. Schaefer, Sr.
No Information

9. Clarence F. Smith
Mem. Soc. Packaging Engrs., Am. Mgt. Assn., A.I.M., Nat. Sales Execs., Fibre Box Assn. Roman Catholic, Elk, K.C. - Home: 1772 Sabab Palm Dr., Boca Raton, Fla. - Office: 5920 Stafford Dr., Indianapolis

10. E.T. Weiler
Dean Krannert Graduate School Indsl. Admin., Purdue U.; dir. Comml Solvents Corp., CTS Corp.; mem. Am. Econ. Assn., Am. Statistical Assn., Am. Finance Assn. Phi Gamma Delta, Episcopalian, Kiwanian - Home: Indian Hall, Rt. 9, Lafayette, Indiana

THE FORD FOUNDATION

320 EAST 43RD STREET NEW YORK, NEW YORK 10017

Prof. Emory Via
5710 Anchorage Avenue
Madison, Wisconsin 53705

CHAPTER 4

Paper and Board

Growth Should Resume In 1968

Following a pause in 1967, consumption of paper and board should advance 3 percent in 1968 to reach 53.5 million short tons. Domestic production will follow a similar pattern, increasing 4 percent to about 48.5 million tons in 1968. Between 1966 and 1967, the paper industry was affected by the slow-down in general economic activity, causing a 2-percent decline in consumption and a 1-percent dip in U.S. production.

As a result of the decline in the industry and continued U.S. population gains, per capita consumption of paper and board was off 3 percent to 522 pounds in 1967, the first such decline since 1960. In 1968, with most economic indicators pointing up, consumption of about 532 pounds per capita is expected, almost equal to the 1966 average. The United States is still by far the world leader in paper and board usage. Canada is in second position with 363 pounds per capita, and the world average is only 69 pounds per person.

Value of shipments by the industry is expected to rise to $8.5 billion in 1968, 5 percent above 1967, following a 1966–67 gain of 1 percent.

U.S. exports of paper and board (which have doubled in volume during the past 5 years), advanced 13 percent in 1967 over 1966 and should rise another 10 percent in 1968, reaching 2,240,000 tons, equal to nearly 5 percent of U.S. production. Exports consist primarily of linerboard and kraft paper to Europe and Latin America. Imports, chiefly newsprint produced in Canada by United States and Canadian firms, were down 4 percent in 1967. Although imports are expected to advance 1 percent in 1968 to 7,240,000 short tons they still would be under the 1966 peak of 7,481,000 tons.

The manufacture of paper, paperboard, and building paper and board is the processing of raw materials, including woodpulp, paper stock (wastepaper), and chemical additives into products which may then be converted by separate operations into thousands of paper and board products for industry and for individual consumers.

Paper, board, and products are an integral part of our defense commitment in Southeast Asia. Increasing Department of Defense expenditures have been clearly felt in products associated with automatic data processing and packaging for overseas shipment.

Changes in the U.S. consumption of paper and paperboard usually are closely related to the growth in disposable personal income. The year 1967 appears to have been an exception, however, since DPI has continued to advance while paper and board consumption has taken a temporary dip.

Contributing factors to this situation include: an inventory buildup of paper and paper products

1967 Profile

Paper and board manufacturing	SIC 2621 (papermills), 2631 (paperboard mills), and 2661 (building paper and board mills).
Number of companies (1963)	365.
Number of establishments (1966)	783.
Employment	290,000 [1] (includes pulpmills).
Main producing areas	South, Northeast, Lake States, and Pacific States.
Chief products	Printing paper, coarse paper, sanitary tissue stock, fine paper, newsprint, special industrial paper, container board, boxboard, special food board, construction paper and board.
Shipments (value in millions)	$8,000.[1]
Production (quantity in thousand short tons)	46,700.[1]
Exports (value in millions)	$400.[1]
Imports (value in millions)	$850.[1]
Apparent consumption (quantity in thousand short tons)	51,860.[1]
Per capita consumption (quantity in pounds)	525.[1]
Major industry problems	Rising manufacturing and distribution costs; shortages of skilled personnel; excess world pulpmaking capacity; adjusting to varying community social needs.

[1] Preliminary BDSA estimate.

during 1966 and early 1967; lower levels of homebuilding in 1966 and 1967 which reduced demand for building materials; the slowdown of general economic activity in the early months of 1967 which affected the use of many grades of paper and board; lower newspaper advertising linage and the demise of some newspapers which meant lower newsprint requirements; and labor strikes in many industries, all of which caused interruptions in demand for many of the industry's products.

Prices for the industry's products have held up despite reduced demand. The wholesale price index for paper in July 1967, at 110.9 (1957–59=100), was 2.5 percent above the year-earlier level. Paperboard, meanwhile was up 0.1 percent to 105.4, while building paper and board was off 1.5 percent to 91.5. The wholesale price index for the most part reflects list prices and therefore is not necessarily a measure of actual market prices, which may include discounts or other variations from list prices. It is, however, valuable as a trend indicator.

Industry Consumes Many Materials

In terms of tonnage used, woodpulp is the chief raw material in paper and board manufacture. In 1966, the industry consumed about 32 million short tons of woodpulp which had been produced in affiliated pulpmills, plus an additional 4 million tons of purchased woodpulp. Approximately 11 million tons of wastepaper and other fibrous materials also were consumed in the industry. Compared with 1958, consumption of woodpulp increased 62 percent while usage of the other fibrous materials was up 16 percent.

The industry is a significant consumer of many chemicals (sulfur, chlorine, sodium hydroxide, sodium sulfate, titanium dioxide, aluminum sulfate, rosin sizes, and lime) and other nonfibrous materials, including starch, clay, asbestos, and asphalt. While these products cost some $360 million a year, the industry uses fibrous materials worth about $1.6 billion, and all other materials, parts, and supplies valued at about $860 million annually.

Although it is a major consumer of water, the paper industry has done much to conserve this valuable natural resource, as evidenced by trends in water usage and paper and board output. Between 1959 and 1964, for example, water intake by the industry rose 8 percent to total 1,746 billion gallons, while paper and board production gained 23 percent. Conservation efforts by the industry also are indicated by the fact that gross water usage, including recirculation or reuse, was nearly three times the amount of water intake in 1964. A breakdown of 1964 water intake shows 63 percent used for the manufacturing process, 23 percent for steam-electric power generation, 9 percent for other cooling and condensing purposes, and 5 percent for boiler feed, sanitary service, and other uses.

Capacity Outpaces Production

Because of enlarged plant capacity generated during the capital spending boom in recent years, the ratios of production to capacity during 1967 for both paper and paperboard mills[1] showed sharper declines from year-ago levels than was indicated by changes in production volume.

The operating rate for papermills, according to industry sources, averaged 92 percent of capacity during the first 10 months of 1967, compared with 97 percent in the corresponding 1966 period, 95

Overall Trends and Projections, 1958–68

[In millions of dollars except as noted]

Item	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967 [1]	Percent change, 1966–67	1968 [1]	Percent change, 1967–68
Value of shipments:													
Industry [2]	5,280	5,921	5,991	5,963	6,275	6,422	6,795	7,287	8,009	8,090	+1	8,495	+5
Products [3]	5,038	5,687	5,755	5,761	6,019	6,208	6,502	6,885	7,610	7,690	+1	8,070	+5
Quantity of production (thousand short tons)	30,823	34,015	34,444	35,698	37,552	39,231	41,703	44,119	47,189	46,700	−1	48,500	+4
Apparent consumption [4] (thousand short tons)	35,215	38,802	39,189	40,354	42,381	43,863	46,563	49,250	52,867	51,860	−2	53,500	+3
Per capita consumption (pounds)	403	436	434	439	454	463	485	506	537	522	−3	532	+2
Value of exports	148	161	185	199	198	220	274	325	368	400	+9	440	+10
Quantity of exports (thousand short tons)	728	792	902	1,042	1,003	1,149	1,496	1,639	1,803	2,040	+13	2,240	+10
Value of imports	649	710	730	727	747	738	808	854	967	850	−12	860	+1
Quantity of imports (thousand short tons)	5,120	5,579	5,647	5,608	5,832	5,781	6,356	6,770	7,481	7,200	−4	7,240	+1
Employees (thousands) [5]	281	288	292	286	283	282	280	280	288	290	+1	293	+1
Value added	2,558	2,945	3,013	2,977	3,104	3,197	3,411	3,618	3,985	4,025	+1	4,225	+5
Price indexes (1957–59=100) Pulp, paper, and allied products	100.1	101.0	101.8	98.8	100.0	99.2	99.0	99.9	102.6	103.8	+1	.....	.....

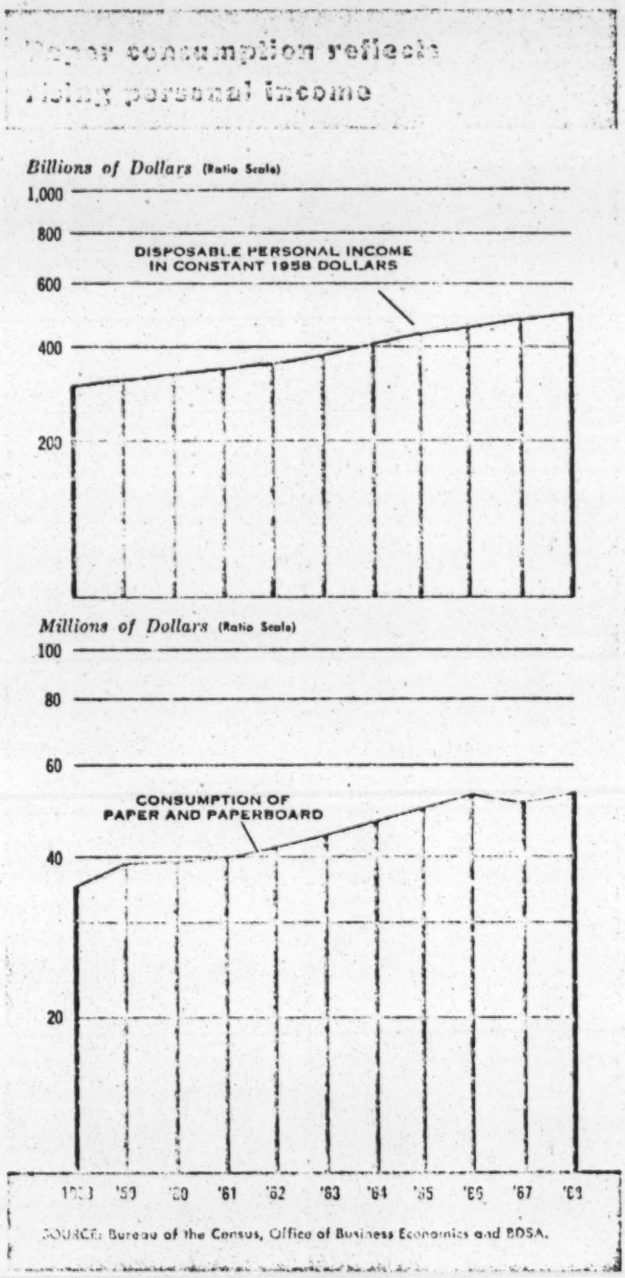
[1] Estimated by BDSA.
[2] Includes value of all products and services sold by the paper and board industries (SIC 2621, 2631, and 2661).
[3] Includes value of shipments of paper and board made by all industries.
[4] Apparent consumption equals production plus imports minus exports.
[5] Includes pulpmills.

Sources: Employment data and price indexes from Bureau of Labor Statistics, other data from Bureau of the Census except BDSA estimates.

percent in 1965, and 93 percent in 1964. For paperboard mills, production averaged 88 percent of capacity in the January–October period of 1967, compared with 93 percent in 1966, 90 percent in 1965, and 88 percent in 1964. Production of paper in 1967, meanwhile, was estimated to be 1 percent above 1966, while paperboard was down 1 percent. Production for the combined industries averaged 86 percent of capacity between 1958 and 1964.

The total capacity of the paper and paperboard industry is expected to expand further in 1968. The increase will amount to about 80 percent of the 1966–67 gain. New installations and improvements to existing equipment were scheduled to increase capacity by 3.5 million tons in 1967, raising the yearend capacity of the industry to 54 million tons. For 1968, planned additions total 2.8 million tons, which will raise total productive capability to 56.8 million tons. In both years, most of the new capacity is for production of corrugating materials, kraft linerboard, newsprint, and printing papers.

Rated worldwide production capacity for paper and paperboard has grown from 91 million short tons in 1960 to 132.5 million tons in 1967, a rise of 46 percent. In contrast, U.S. capacity grew 31 percent during the 1960–67 period, or from 41.3 to 54 million tons. U.S. capacity now equals 41 percent of the world total versus 45 percent in 1960.



Industry Is Broad-Based

Rather than being concentrated among a few companies, production of paper and board comes from many sources, with the largest company in the industry accounting for only 11 percent of total output. Papermills are operated by 186 different companies, and paperboard mills by 146 firms. About 26 percent of the total value of paper and board shipments come from the four largest companies, 42 percent from the eight largest, 65 percent from the 20 largest, and 87 percent from the 50 largest companies. Some 33 companies operate building paper and board mills, with 47 percent of the value of shipments represented by the four largest companies, 68 percent by the eight largest, and 97 percent by the 20 largest.

The larger companies in the paper and board industry are widely diversified—vertically, horizontally, and geographically. One large company for example, with annual sales well in excess of a half-billion dollars owns or controls nearly 4 million acres of timberland; operates 16 pulp, paper, and board mills; 12 bag plants, 26 container mills, 10 folding carton plants, 10 flexible packaging plants, and 20 other converting plants, plus sawmills, plywood, and other wood products mills, and four chemical plants.

These properties are distributed in more than half the States from Maine to Hawaii. The smaller, one- or two-machine companies, in contrast, are likely to specialize in one line, such as boxboard or printing paper, with all of their facilities confined to a single site.

Selected Financial Ratios for the Paper and Allied Products Industry, SIC 26, 1958–67

	1958	1959	1960	1961	1962	1963	1964	1965	1966	1966 1st half	1967 1st half
Net profits after taxes as percentage of sales	4.7	5.2	5.0	4.7	4.6	4.5	5.1	4.9	5.4	5.5	4.8
Net profits after taxes as percentage of net worth	8.0	9.3	8.4	7.6	8.1	8.0	9.1	9.2	10.5	10.7	9.2
Annual depreciation as percentage of gross fixed assets	5.2	5.3	5.1	5.1	5.3	5.4	5.2	4.9	4.6	4.9	4.7
Sales to net fixed assets (ratio)	2.2	2.3	2.2	2.1	2.3	2.3	2.2	2.2	2.1	2.2	2.0
Current assets to current liabilities (ratio)	2.9	2.6	2.8	2.7	2.6	2.7	2.5	2.5	2.4	2.5	2.5

Sources: Quarterly Financial Report, Federal Trade Commission and Securities and Exchange Commission.

Variations in the production of major types and grades of paper and board, and their proportion of total output, are shown in the table titled, "Changes in Production of Paper and Board 1958–66."

Fifteen Southern States accounted for the largest regional share of paper and board production in 1966 with 44 percent of the total, compared with 39 percent in 1958. The northeastern region (nine States) and the north-central region (10 States) each had 21 percent of the 1966 output, down from 25 and 24 percent, respectively, in 1958. Ten Western States provided the remaining 14 percent in 1966 versus 12 percent in 1958. Nearly 70 percent of the 1966 production came from the following 14 States (with their shares of the national output): Georgia (7 percent); Wisconsin (6 percent); Louisiana, Washington, Michigan, Florida, Maine, Alabama, Pennsylvania, and New York (5 percent each); Oregon, Ohio, Virginia and South Carolina (4 percent each).

Employees More Efficient, Better Paid

Increased efficiency of paper and board manufacture is reflected in the reduction in man-hours used per unit of output. In 1958, an average of 12.1 man-hours was required to produce a ton of paper; by 1965 this requirement was reduced to only 8.6 man-hours—a drop of 29 percent. The total number of man-hours worked has remained relatively steady (380 million man-hours in 1965 versus 371 million in 1958), while total industry employment has remained in the 265,000–285,000 range. During 1966, each of the 215,000 production workers produced an average of 219 tons of paper and board, 55 percent better than the average of 141 tons per worker in 1958. Industry payrolls rose 31 percent from 1958 to total $1.5 billion in 1965.

The paper industry pays high wages to attract and retain the highly skilled workers needed to operate its mills. Production workers in pulp and paper mills earned an average of $3.02 per hour in 1966. Those in paperboard mills earned $3.06. These compare with hourly earnings of $2.25 and $2.27 in 1958. Average hourly earnings in the pulp, paper, and board industry now are nearly 25 percent higher than the average for all nondurable industries and about 12 percent above the rate for all manufacturing industries. Hourly earnings in the industry rose even higher in 1967. Wage settlements resulting from the labor negotiations during 1967 presage still higher earnings in 1968.

Spending Heavy for New Plant

The paper and allied products industry in 1967 continued spending on new plant and equipment at a faster rate than that for all manufacturing industries. Following the 1963–66 period, when domestic outlays by the paper industry more than doubled from $720 million to $1.5 billion, a further gain of 7 percent to $1.6 billion is estimated for 1967. Expenditures for new papermaking facilities now equal 5.9 percent of the spending by all manufacturers compared with 4.6 percent in 1963.

Foreign capital outlays by U.S. producers of paper and allied products have also more than doubled in recent years. Expenditures abroad reached nearly $300 million in 1967 versus $134 million in 1963. During this period, overseas spending by U.S. paper companies ranged between 15 and 18 percent of total capital expenditures. Three-fourths of the foreign spending since 1960 has been in Canada, 10 percent in Europe, 7 percent in Latin America, and the remaining 8 percent has occurred in other areas of the world.

The emphasis given to plant modernization and expansion has strengthened the U.S. paper industry's competitive position in both domestic and international markets. At the same time the industry stands ready to take advantage of future opportunities stemming from a rising worldwide demand for paper and paperboard products.

Merger Activity Still Lively

Merger activity in the paper industry declined somewhat from earlier years, but still continued at a good pace in 1966 and 1967. Through mergers, firms sought increased profitability, growth, and efficiency by improving their competitive positions in terms of raw materials, manufacturing facilities, research efforts, and marketing patterns. Companies in the paper and allied products industry (SIC 26) acquired 21 firms in 1966, according to the Federal Trade Commission. This compared with 27 in 1965, 14 in 1964, and an annual average of 31 during the 1955–59 period. The peak year for merger activity in the paper industry was 1960, when 52 mergers were consummated. Paper industry mergers in 1966 represented 2.5 percent of mergers by all manufacturing concerns compared with an average proportion of 5.4 percent in 1955–59.

During the first three quarters of 1967, news accounts indicated that nine mergers were completed in the paper industry. By the end of the period, at least a dozen additional mergers were in various stages of negotiation. Three other proposed mergers were canceled before completion during this 9-month period, and one company was ordered to divest itself of a distribution subsidiary acquired in 1961.

More Spending on Research

Spending on research and development by the paper and allied products industry rose 11 percent over 1965 and 50 percent over 1960 to reach $84 million in 1966. Research expenditures are expected to gain an additional 20 percent to $101 million in 1969. While the paper industry allocates proportionately less of the sales dollar to R. & D. (0.4 percent in 1966) than the average for all industry (2.9 percent), it benefits substantially from the research activities of the U.S. Forest Products Laboratory and other public programs.

The industry's activities in research and technological development embrace a wide area from land utilization through papermaking techniques to market analyses. Scientists and engineers are striving for higher and more efficient yield of fiber per acre of timberland through improved genetics, better forest management, the use of tree fertilization, and the mechanization and development of new equipment and processes for harvesting and handling wood.

New sources of nonwood fiber and improvements in reclaimed fiber are being pursued. Faster and wider paper machines under fully automated process control are being developed and installed. Waste disposal, odor control, water pollution abatement, handling systems, and drying techniques are among the problem areas to which the industry is devoting its efforts. Results of R. & D. activities and technological improvements quickly become common knowledge through discussion at meetings of professional organizations and publication in trade journals.

Disposables Generate Interest

Although not new products, disposables made of cellulose reinforced with natural or synthetic fibers have received increasing attention in recent years. The disposable products cover a wide range from aprons, blankets, and capes, through draperies, dresses, and gowns, to pants, pillowcases, sheets, swimsuits, towels, and wiping cloths.

The paper industry provides much of the basic material for these products. The products themselves are generally made and distributed by clothing manufacturers, hospital supply firms, or other types of businesses. An estimated $10 million of the nonwoven materials were sold in 1966. Demand was so strong in 1967 that the few paper companies supplying this market were selling the materials as fast as they could be produced. Even so, they still had substantial order backlogs.

Paper and board exports have been gaining at an annual rate of at least 10 percent since 1964,

Financial Ratios for 26 Selected Forest Products Companies, 1958–66

	1958	1959	1960	1961	1962	1963	1964	1965	1966
Net profits before taxes as percentage of sales	12.5	13.4	11.4	10.0	9.9	9.6	10.1	10.7	10.5
Net profits after taxes as percentage of sales	6.6	7.2	6.1	5.5	5.4	5.4	6.2	6.6	6.4
Net profits after taxes as percentage of net worth	9.1	10.3	8.5	7.7	7.8	7.9	9.2	10.0	10.4
Annual capital expenditures as percentage of gross plant	6.8	7.8	8.8	6.7	8.2	6.8	9.7	10.7	11.4
Annual depreciation as percentage of gross plant	5.2	5.4	5.2	5.1	5.4	5.3	5.2	4.7	4.4
Annual depreciation as percentage of sales	5.4	5.3	5.3	5.2	5.5	5.3	5.3	4.9	4.6
Sales to total assets (ratio)	.95	.99	.99	1.00	1.00	1.02	1.03	1.01	1.01
Net worth to debt (ratio)	3.8	4.0	4.2	4.4	4.0	4.1	4.0	3.4	2.7

Source: Compiled by BDSA from Standard & Poor's financial data.

after having doubled in volume during the preceding 8 years. Exports in 1968 are projected to rise another 10 percent reaching 2,240,000 tons valued at $440 million. Exports are now equivalent to 4 percent of total U.S. production, compared with 2 percent in 1958.

Kraft paper and paperboard continue to be the major export grades. The United States, with its abundant fiber resources, is the principal shipper of kraft linerboard to the world. Principal markets for kraft linerboard in 1966 were the United Kingdom, West Germany, Ecuador, Italy, Honduras, Panama, and the Netherlands. Kraft wrapping and bag paper, and other types of kraft paper and board, went mainly to Canada, the Philippines, United Kingdom, Costa Rica, Panama, West Germany, Australia, Mexico, and Honduras. Many of these countries also were significant markets for other grades of paper and board exported.

Newsprint, 95 percent of which comes from Canada, constitutes more than 90 percent of United States imports of paper and board. Much of the imported Canadian newsprint is produced by subsidiaries of U.S. paper and publishing companies. Imports of newsprint from Finland have more than doubled in the 1960's but still equal only 4 percent of all imports. Mainly because of increased domestic newsprint production and a dip in U.S. newsprint consumption in 1967, imports of paper and board are expected to be down 4 percent from 1966. In 1968, however, imports are projected to increase a moderate 1 percent to 7,240,000 short tons, valued at $860 million.

The results of the Kennedy Round of tariff negotiations are considered to be relatively successful for U.S. paper and board interests. International economic relations among free world nations will be improved, trade will be stimulated, and U.S. exports of paper and board should gain faster than imports.

For corporations in the paper and allied products industry, profits after taxes declined to 4.8 percent of sales in the first half of 1967, compared with 5.4 percent during 1966. However, the 1967 profit rate is on a par with the years 1961–63 and 1965 when profits averaged between 4.5 and 5 percent of sales. Based on trends in the first half, it is likely that corporate sales totaled about $16.8 billion for the full year 1967, down 1 percent from 1966, while aftertax profits of $800 million would be off 12 percent. These declines reflect the lower rates of industry operations in relation to expanded plant capacity during 1967.

Changes in Production of Paper and Board 1958–66

Item	Percent increase	Percent of total	
	1958–66	1966	1958
Printing and book papers, coated and uncoated	63.0	13.9	13.1
Coarse paper (wrapping, shipping sack, bag, glassine, and greaseproof)	31.1	10.0	11.7
Sanitary tissue stock (toweling, napkin, toilet tissue, facial tissue stock)	65.6	6.1	5.6
Fine paper (writing, bristols, cover, text, thin)	75.2	5.7	5.0
Newsprint	35.8	5.0	5.6
Special industrial paper (tag and tabulating card stock, cable and filter paper, etc.) and other tissue paper	65.2	3.0	2.8
Total paper	52.9	43.7	43.8
Linerboard	84.0	20.2	16.8
Corrugating material and container chipboard	72.1	8.8	7.8
Folding boxboard	29.5	7.6	9.0
Special foodboard, set-up boxboard	31.1	5.8	6.8
Special paperboard (tube and can stock, building board stock, chipboard, cardboard)	51.2	5.5	5.5
Total paperboard	59.5	47.9	45.9
Wet machine board	26.4	.3	.4
Construction paper (sheathing paper, felts, asbestos paper)	8.4	3.2	4.5
Construction board (hardboard and insulating board)	39.6	4.9	5.4
Total construction paper and board	25.4	8.1	9.9
Total paper and paperboard	53.1	100.0	100.0

The paper industry experienced a more severe pinch in 1967 sales and profits than all manufactures. Net sales by all manufacturing corporations (except newspapers) in the first half of 1967 at $282 billion were 4 percent above the similar 1966 period, but net profits after taxes were off 8 percent to $14.3 billion. The profit-to-sales ratio for January–June 1967 of 5.1 percent also was below the 5.8-percent rate for last year.

During 1966, the paper and allied products industry recorded a corporate net profit rate of 10.5 percent on net worth, the third successive annual increase. Although this ratio declined in the first two quarters of 1967, it still compared favorably with the 1964 and 1965 levels.

Financial ratios for 26 of the larger companies which manufacture, convert, and distribute a variety of paper and other forest products have for many years shown a close relationship between sales and total assets. Also significant is the high proportion of annual capital expenditures to gross plant, which rose steadily from 1963 to a 1966 peak, along with a declining ratio of depreciation to plant. Both are indicative of the huge plant expansion and modernization program throughout the industry. That large borrowings were required to finance the capital spending boom is evident from the sharp drop in the ratio of net worth to debt among these firms between 1964 and 1967.—*Charles L. Smith, Forest Products Division.*

Card Made

Rolladay

H. K. CHARLESWORTH

DIRECTOR

OFFICE OF DEVELOPMENT SERVICES
AND BUSINESS RESEARCH
COLLEGE OF BUSINESS AND ECONOMICS
UNIVERSITY OF KENTUCKY

Bus. file yes?

Add home phone on back

Lexington 40506

Area 606
Phone: 258-9000
Ext. 2954

299-
8179

~~NH 7:55~~
~~Rex off.~~
~~8:15, 9:15~~
~~9:55~~

~~LaSun Ed Cutie~~
~~Bill Tomas (!)~~

~~7:30 Lobby~~

October 7, 1968

Mr. H. K. Charlesworth, Director
Office of Development Services
and Business Research
College of Business and Economics
University of Kentucky
Lexington, Kentucky

Dear Chuck:

It was good to meet you in Lexington and to learn more about the plans for the Labor Education Centers.

I trust that the Owensboro class will go well and I look forward to teaching with the group there.

Please give my regards to Bill. I forgot to suggest to him that it would be useful to have some sort of folder with five or six blank sheets for each student as a notebook. They could add my mimeographed handouts to their notes.

Enclosed is a statement of my travel expenses and accompanying receipts.

Yours truly,

Emory F. Via, Director
Labor Education Project

EFV/km

Enclosures

EMORY F. VIA

Expenses for trip to Lexington and Owensboro, Ky.,
September 29 - October 1, 1968

AIR FARE	$ 48.30
GROUND TRANSPORTATION $4.50, $3.00	7.50
MEALS $2.50, $1.50	4.00
HOTEL AND PHONE	25.86
TOTAL	$ 85.66

October 25, 1968

Professor William Tolman
Office of Development Services & Business Research
College of Business and Economics
University of Kentucky
Lexington, Kentucky 40506

Dear Bill:

Enclosed is a copy of the temporary class roll. The check marks indicate those who also attended the second session. Please note the spelling corrections on some names. Also note that Mrs. Mary Frakes attended both the first and second sessions. The six persons you showed as possible drop-outs all attended both the first and second sessions. The problem seems to be that their registration fees were not paid. They now think, in most cases, this has been sent to you. You may wish to double-check on that.

I think it very important to send a card reminding all class members of the date of the next session. The announcement about missing October 31 was made quite clearly and I think it will be important for a reminder notice to go to the class members during the week in which November 7th falls.

Both classes seem to go very well.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

Enclosure

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506

COLLEGE OF BUSINESS AND ECONOMICS
OFFICE OF DEVELOPMENT SERVICES
AND BUSINESS RESEARCH

November 5, 1968

Mr. Emory F. Via, Director
Labor Education Project
Southern Regional Council, Inc.
5 Forsythe Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Via:

Enclosed is a check covering the expenses of your initial visit to Owensboro on September 29.

Last week I attended the state convention of the Kentucky AFL-CIO in Louisville. Several of the class members of the Owensboro courses were there, and all were very enthusiastic about the progress of the classes. The leaders are making plans now to continue with the courses during the spring, and hope to have a course in communications, public speaking, etc.

Mr. Henry Lake has undertaken the responsibility for handling the enrollment of Mrs. Frakes. I hope it will be managed in a diplomatic way.

Again, let me say that we greatly appreciate your assistance in our inaugural program.

Sincerely,

William A. Tolman

William A. Tolman
Program Director

dl

Enclosure

November 6, 1968

Mrs. David M. Bondurant
News Bureau
Department of Public Relations
University of Kentucky
Lexington, Kentucky 40506

Dear Mrs. Bondurant:

Thank you for your note of October 15. I am sorry to be so slow in responding but I had some difficulty in locating a suitable photograph. It is enclosed.

You probably do not need any further information on me for your purposes but just in case, let me recite the following: I was born in 1925 in Virginia; my BA Degree is from Emory University, Atlanta, Georgia and my Ph.D. in Political Science is from the University of Chicago; I was formerly professor of Labor Education, School for Workers, The University of Wisconsin; and currently I am the Director of Labor Program, Southern Regional Council, Inc. My associational memberships include the American Political Science Association; the Industrial Relations Research Association and Local 189 of the American Federation of Teachers.

I trust this will be sufficient.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km
Enc.

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506

DEPARTMENT OF PUBLIC RELATIONS

October 15, 1968

Dr. Emory F. Via, director
Labor Education Project
5 Forysth Street N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

Would it be possible for you to send a copy of your picture for publicity purposes? We would like to send copies to the Owensboro area paperss

Prof. Tolman has informed me of your busy schedule and sacrifice to participate in our extension classes. May I extend my personal appreciation for your interest in Kentucky union members.

Sincerely,

Jackie E. Bondurant

Mrs. David M. Bondurant
News Bureau
Staff Writer

December 16, 1968

REMINDER NOTICE

The last session of the Union Administration Class will be:

7:00 P.M.
Thursday, December 19, 1968

The last hour of the class will be for closing ceremonies and a social period.

Hope to see you then.

Emory F. Via
Instructor

EFV/km

file Owensboro class

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506

COLLEGE OF BUSINESS AND ECONOMICS
OFFICE OF DEVELOPMENT SERVICES
AND BUSINESS RESEARCH

January 3, 1969

Mr. Emory Via, Director
Labor Education Project
Southern Regional Council, Inc.
5 Forsythe Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Via:

We have not yet received a statement for your travel expenses and payment in connection with the class in Owensboro. University payroll procedures are slow at best, and upon receipt of your statement, we will be able to at least initiate these procedures.

I hope that your holidays were happy. And again, let me thank you for your assistance in our Owensboro program.

Sincerely yours,

William A. Tolman

William A. Tolman
Program Director

January 16, 1969

Mr. William A. Tolman
Program Director
Office of Development Services
and Business Research
College of Business and Economics
University of Kentucky
Lexington, Kentucky 40506

Dear Bill:

Enclosed is my statement of expenses incurred in teaching the Union Administration Course in Owensboro.

I was sorry to hear during our last class session that you had been ill. I trust you are well at this time. It was an interesting group and I enjoyed the opportunity to get to know them. I felt that basically the class went quite well and I trust your new Labor Education program will continue to move ahead.

If the final ceremony of awarding certificates has not already taken place, I would like to send a letter of congratulation to the class. Could you let me know when that affair will be held?

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

Enc.

file

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506

February 13, 1969

COLLEGE OF BUSINESS AND ECONOMICS
DEVELOPMENT SERVICES
LABOR EDUCATION CENTER

Dr. Emory F. Via, Director
Labor Program
Southern Regional Council, Inc.
3 Forsyth Street N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

Enclosed is a check in compensation for your work at Owensboro, Kentucky, last fall. With it comes our deepest appreciation for the effort you have put forth to assist us in initiating a program of Labor Education offered by extension throughout our state. I had hoped we could borrow you again several times but I know this to be impossible.

It may interest you to know that we have organized a class in Ashland, Kentucky, one begins in Lexington on the 25th of February, and a program will be going in Louisville on the 12th of March. Of course, there will be a continuation of the program you started in Owensboro this spring.

Let me wish you the very best of everything.

Sincerely yours,

William A. Tolman

William A. Tolman,
Director

WAT:rjk
Enclosure

Tapper's Schedule

April 17, 1969

Lv. - MGW - 2:42
Ar. - PITT - 3:07
Lv. - PITT - 5:00
Ar. - Atla. - 6:30

April 20, 1969

Lv. - Atla. - 4:04
Ar. - DCA - 5:25
Lv. - DCA - 6:40
Ar. - MGW - 7:36

Albert Pick Hotel
Atlanta

LABOR-MANAGEMENT RELATIONS IN THE PUBLIC SECTOR

FRIDAY, NOVEMBER 14, 1969

ORIENTATION ..... 9:15 A.M.

William A. Tolman, Conference Chairman and Director, Labor Education Center, University of Kentucky

OPENING REMARKS

Harold K. Charlesworth, Associate Dean for Extension, College of Business and Economics, University of Kentucky

WELCOME

Otis Singletary, President, University of Kentucky

KEYNOTE ADDRESS ..... 10:00 A.M.

Arvid Anderson, Chairman, Office of Collective Bargaining, New York, New York

COFFEE BREAK ..... 11:00 A.M.

COLLECTIVE BARGAINING IN THE FEDERAL SERVICE ..... 11:30 A.M.

Chairman: Joseph L. Massie, Acting Dean, College of Business and Economics, University of Kentucky

Speaker: Seymour Alloy, Employee Relations Specialist, U.S. Air Force

Speaker: James Rademacher, President, National Association of Letter Carriers, AFL-CIO, and Chairman, Government Employees Council, AFL-CIO

LUNCH–STUDENT CENTER ..... 1:00 P.M.

THE LEGAL STATUS OF PUBLIC EMPLOYEE BARGAINING

Robert L. Stutz, Chairman, Connecticut Board of Mediation and Arbitration

PANEL DISCUSSION ..... 2:30 P.M.

Chairman: Larry R. Klein, Editor, *Growth and Change;* Former Editor, *Monthly Labor Review*

Panel: Arvid Anderson, Seymour Alloy, James Rademacher, Robert Stutz

DINNER–HOSPITALITY MOTOR INN ..... 6:30 P.M.

PUBLIC EMPLOYEE UNIONISM: SOME PHILOSOPHICAL AND POLITICAL CONSIDERATIONS

Charles Rehmus, Director, Institute of Labor and Industrial Relations, University of Michigan

SATURDAY, NOVEMBER 15, 1969

CURRENT ISSUES OF STATE, LOCAL AND MUNICIPAL COLLECTIVE BARGAINING .. 9:00 A.M.

Chairman: Roger H. Rines, Instructor, Labor Education Center, University of Kentucky

Speaker: Al Leggat, Director, Detroit Labor Relations Bureau

Speaker: Jerry Wurf, President, American Federation of State, County and Municipal Employees, AFL-CIO

COFFEE BREAK ..... 10:30 A.M.

RESOLVING IMPASSES IN PUBLIC EMPLOYMENT ..... 11:00 A.M.

Chairman: Alvin Goldman, Professor, College of Law, University of Kentucky

Speaker: Willoughby Abner, Director, The National Center for Dispute Settlement of the American Arbitration Association

Speaker: Joseph S. Murphy, Vice President, American Arbitration Association

Speaker: Louis B. Kaden, Attorney and Mediator; Battle, Fowler, Stokes and Kheel, New York, New York

LUNCH–STUDENT CENTER ..... 1:00 P.M.

THE STATUS OF PUBLIC EMPLOYEE BARGAINING IN THE STATE OF KENTUCKY

Sam Ezelle, Executive Secretary, Kentucky AFL-CIO

PANEL DISCUSSION ..... 2:30 P.M.

Chairman: Carl Cabe, Professor of Business Administration, University of Kentucky. Former Commissioner of Labor, Commonwealth of Kentucky

Panel: Willoughby Abner, Al Leggat, Joseph S. Murphy, Jerry Wurf

SUMMARY AND CONCLUSIONS ..... 3:30 P.M.

H. K. Charlesworth

BANQUET–HOSPITALITY MOTOR INN ..... 7:30 P.M.

CURRENT AND FUTURE DEVELOPMENT IN PUBLIC EMPLOYEE RELATIONSHIPS

Howard Anderson, Senior Labor Editor, Bureau of National Affairs, Inc., Washington, D. C.

APPLICATION FORM
LABOR RELATIONS SYMPOSIUM

Please Return to:

William A. Tolman
Conference Chairman and Director
Labor Education Center
University of Kentucky
Lexington, Kentucky 40506

Program Fee: $35.00

( ) Check enclosed

( ) Will pay at registration

Make Check Payable to:

Kentucky Research Foundation

Name .....

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Name .....

Title .....

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Title .....

Organization .....

Address .....

.....

Room reservations are the responsibility of the individual. A block of rooms has been reserved at the Hospitality Motor Inn ($12 single, $16 double), 2143 North Broadway Lexington, Kentucky, 40506. For reservations phone Area Code 606, 299-1261 or return enclosed card.

REMINDER NOTICE

The next meeting of the Union Administration Class will be:

7:00 P.M.
Thursday, December 5, 1968

Hope to see you then.

Emory F. Via

Emory F. Via
Instructor

EFV/km

file Owensboro, Ky Class

REMINDER NOTICE

Union Administration Class: No meeting November 14th.

NEXT MEETING

November 21, 1968 7:00 P.M.

Please note earlier starting time.

Emory F. Via

EMORY F. VIA
Instructor

University of Wisconsin
School for Workers

HOW A BILL BECOMES LAW IN WISCONSIN

William O. Kuhl

1. INTRODUCTION (Assembly or Senate)	1. A bill may be introduced by a member of the legislature or a legislative committee during the order of business, "Introduction of Bills."
2. "REFERRED TO REVISION"	2. Every bill introduced in the Assembly, not the Senate, is first "Referred to Revision" where it is examined by clerks of the legislature to see that it conforms with legislative rules.
3. 1st READING STAGE	3. Upon securing "revisions" approval in the Assembly or upon introduction in the Senate a bill is sent to the desk of the presiding officer of the house (Lieutenant Governor in the Senate and Speaker in the Assembly). When the house is next in session, usually the next legislative day, the title of the bill is read by the chief clerk and it is given a number. The bill is now technically introduced. 1000 copies are printed of every bill introduced. Copies may be obtained at the documents room which each house of the legislature maintains.
4. REFERRED TO COMMITTEE	4. The presiding officer of the house refers each bill to the appropriate house committee. There are 6 standing legislative committees in the Senate (Agriculture and Conservation, Education and Public Welfare, Highways, Judiciary, Labor and Banking, Governmental and Veterans' Affairs); 16 in the Assembly (Agriculture, Commerce and Manufacturers, Conservation, Education, Elections, Excise and Fees, Highways, Insurance and Banking,

Judiciary, Labor Municipalities, Public Welfare, State Affairs, Taxation, Transportation, Veterans' and Military Affairs); 1 joint committee (Finance).

5. COMMITTEE HEARING

5. The practice prevails in the Wisconsin legislature of holding public hearings on all bills referred to committee. Committee hearings are held in the afternoon usually beginning at 2:00. The date of a bill's hearing is set by the chairman of the committee. Each house publishes a "Weekly Bulletin of Committee Hearings," which appears on Friday, which lists all hearings that will be held before committees during the next week. This bulletin may be obtained at the document rooms of the two houses. On the day of the hearing bills are called in turn as scheduled, and an opportunity is given to any citizen who is present to express his views, either for or against the bill.

6. COMMITTEE REPORT

6. After the public hearing, either on the same day or at some later date, the committee considers the bill in executive (closed) session and decides upon its recommendation to the house. Each bill must be reported out of committee with a recommendation. In Wisconsin no bill can die in committee. The committee may recommend the bill for passage with or without submitted amendments, or may recommend it for indefinite postponement.

When the committee has formulated its recommendation, its chairman on the next day reports it to the house. This report states merely the committee's recommendation and gives no reason for it.

7. SCHEDULED FOR HOUSE ACTION	7. Upon the filing of the committee's report the bill, with or without committee amendments, is placed on the calendar of the house for the second legislative day after the filing of the report, under the order of business, "Bills Ready for Engrossment."
8. 2nd READING STAGE	8. When the order of business, "Bills Ready for Engrossment," is reached, the several bills listed are taken up in order. This is the first stage at which the house, as a whole, considers the bill. It is now open to amendment and this is the only time (except by suspension of the rules) that individual members can offer amendments or that amendments are considered. The bill and all amendments thereto are open to debate, after which a vote is taken on each amendment in turn and then a vote on the bill itself. The bill may be laid over to some other day, indefinitely postponed which finally kills the bill unless the house should reverse its actions on reconsideration of the vote, recommitted to the committee which reported on it, referred to an entirely different committee, or ordered to be engrossed and read a third time.
9. ENGROSSMENT	9. If the bill is approved by the house, it is ordered to be engrossed. Engrossment is the process of retyping the bill, if amendments were adopted, with the amendments being inserted in their proper place. If no amendments were adopted, the original bill is treated as the engrossed bill.

"Bills involving appropriations or expenditures are sent, ordinarily after engrossment, to the Joint Committee on Finance. This committee will usually conduct a hearing on the financial aspects only of the bill, and will make recommendations when it returns the bill to the originating house. Upon being returned the bill may then be debated and amended again on the floor of the legislative house. If action is favorable, the bill will then be re-engrossed for a final vote."

10. SCHEDULED FOR FINAL HOUSE ACTION	10. After engrossment, a bill is placed on the calendar under the order of business, "Bills Ready for Third Reading," and usually comes up for final debate and vote on the second legislative day after the house has ordered it to engrossment.
11. 3rd READING STAGE	11. When the order of business, "Bills Ready for Third Reading," is reached, the bill can again be debated but it is not open to further amendment. The house at this stage must either pass the bill or indefinitely postpone it. After a bill has been passed, it may still be reconsidered, if a motion for reconsideration of the vote by which passed is filed not later than the next legislative day.
12. TRANSMITTAL TO OTHER HOUSE	12. A bill which has been passed is usually transmitted to the other house for concurrence on the second legislative day after passage. The transmittal is in the form of a message from the chief clerk of the house of passage indicating that it has passed Bill No. __ and asking concurrence therein.

13. 1st READING STAGE (SECOND HOUSE)	13. The clerk's transmittal message asking concurrence is read in the second house.
14. REFERRED TO COMMITTEE	14. The bill is usually referred by the presiding officer of the second house to one of its standing legislative committees.
15. COMMITTEE HEARING	15. The committee will usually hold a public hearing on the bill unless joint hearings were held on it before.
16. COMMITTEE REPORT	16. Committee report is filed for action.
17. 2nd READING STAGE	17. The bill is here subject to debate and amendment by the members of the second house. The second house may kill the bill which ends it for the session or it may occur in the bill either with or without amendments.
18. 3rd READING STAGE	18. The second house takes final action on the bill.
19. TRANSMITTAL TO FIRST HOUSE	19. The action of the second house either rejection or concurrence, with or without amendments, is transmitted to the first house.
20. IF SECOND HOUSE AMENDS	20. If the second house amends the bill, its amendments must be acted upon in the first house (the house in which the measure originated). If it refuses

to agree to the amendments adopted by the second house, it returns the bill to it for reconsideration. If the second house adheres to its position the bill is returned to the first (originating) house, which may ask for a committee of conference, composed of members of both houses, to work out a compromise.

No bill can become law unless both houses have approved an identical measure.

21. ENROLLMENT

21. If both houses have agreed to the bill in identical form, it is "enrolled" by the house in which it originated. Enrolling consists of retyping the bill with all amendments as agreed upon by the houses inserted in their proper place. It also includes printing the bill as passed, with the caption of "An Act" not "A Bill."

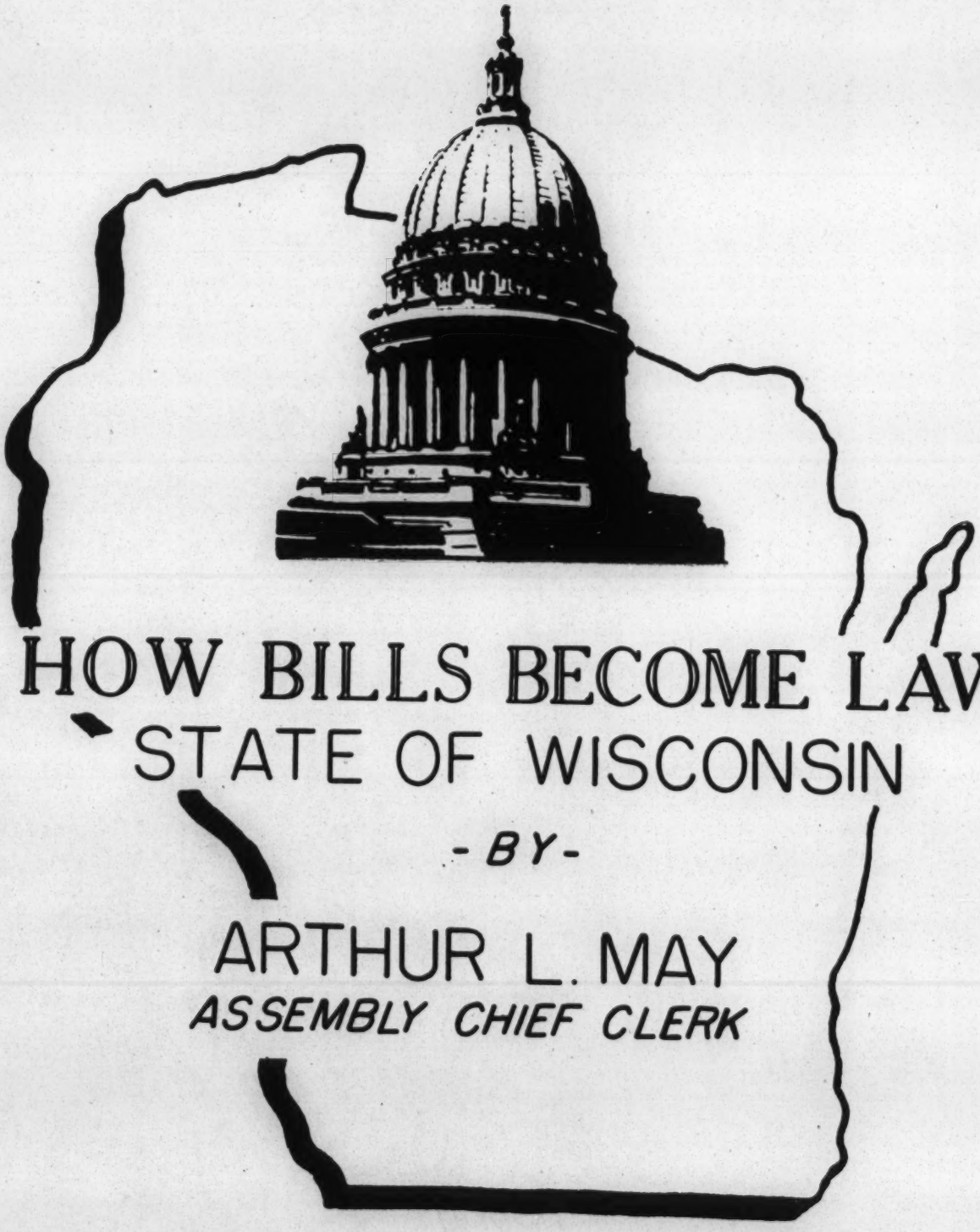
22. TRANSMITTAL TO GOVERNOR

22. One copy of the printed, enrolled bill is treated as the official copy of the bill as passed by the houses. This copy is signed in person by the presiding officers of the two houses and by the chief clerk of the house in which it originated. This official copy of the final bill is then sent by the chief clerk of the house of origin to the Governor.

23. ACTION OF GOVERNOR

23. The Governor has six days, excepting Sundays and holidays, in which to approve or disapprove of the Act. If he signs it, it becomes law after publication in the official state paper. If he vetoes it, it is returned to the house in which it originated. If both houses repass the Act by a two-thirds vote the Act becomes law without the Governor's approval.

Should the Governor, within this six day period, neither sign nor veto the Act, it becomes law without his signature unless the legislature adjourns within this period. In this latter case, the Act dies automatically unless the Governor signs it. Failure to act in this case is called a "pocket veto."



HOW BILLS BECOME LAWS
STATE OF WISCONSIN

-BY-

ARTHUR L. MAY
ASSEMBLY CHIEF CLERK

HOW BILLS BECOME LAWS

Laws begin as bills and must pass both houses of the legislature and be approved by the Governor. Bills can be introduced only by members of the legislature, but relatively few bills really originate with the members. Some of the most important bills are administration measures sponsored by the Governor. Some are departmental bills originating with the state departments administering the laws to which these bills are proposed amendments. Many other bills originate with county boards and city councils. A still larger number come from organizations, such as the League of Wisconsin Municipalities, the Isaak Walton League, the State Federation of Labor, the Wisconsin Conference of Social Work, and many others. The important source of bills, however, comes from constituents of the members. Members are not required to introduce any bill, and, as they are responsible for the bills bearing their name, should, and generally do, exercise their own best judgment before introducing any bill they are asked to present. But, it should be understood that in introducing bills members are usually acting for others and the real promoters of proposed legislation are usually outside of the legislature.

In Wisconsin all bills affecting the statutes of the state are drawn as amendments to the statutes. The drafting of bills is a highly technical job requiring thorough knowledge of the constitution, statutes, and government of the state and with the rules of the legislature. Most bills are drafted by the Legislative Reference Library before they are introduced. Although members are not required to use this service, for many sessions practically every bill has at least been put into final form by the Library. The Legislative Reference Library drafts bills only upon signed instructions from members and puts into bill form the ideas they express. Often a bill passes through many different drafts before it is introduced and not until it is entirely satisfactory to the member is it released by the Library. All relations with members are confidential and no information regarding any bill can be obtained from the Legislative Reference Library until it has been actually introduced on the floor.

The introduction of a bill occurs during a session of the legislature by members presenting it during the order of business, "INTRODUCTION OF BILLS." On introduction the bill is "REFERRED TO REVISION," which means that it is given a final examination by clerks of the legislature to see that it conforms with the legislative rules. Normally the bill is reported back from revision at the next meeting of the legislature at which time it is read by title and referred by the presiding officer to the appropriate committee. Immediately after the introduction, one thousand copies are printed of each bill, of which several hundred are available for public distribution. Each house of the legislature maintains a document room, where any interested person may get a copy of any bill that has been introduced and printed.

The next stage after the introduction is the committee hearing. There are seven committees in the senate and seventeen in the assembly to which bills are referred, in addition to several procedural committees. In Wisconsin the practice prevails of giving a public hearing upon every bill or resolution referred to any committee. All hearings before committees are held in the afternoon, beginning at

2:00 o'clock P.M. Each week during the session each house of the legislature publishes a bulletin of committee hearings. This appears normally on Friday and lists all hearings which will be held before the committees during the next week. This bulletin is obtainable at the document rooms of the two houses and publicity is also given through the newspapers to the scheduled hearings on all important bills.

On the day of the hearing bills are called in turn as scheduled, and an opportunity is given to any citizen who is present to express his views, either for or against the bill. Frequently amendments are suggested at this stage, which the committees may or may not accept, as they see fit. If there are so many people who desire to be heard on a given bill that the hearing cannot be concluded in the time allowed therefor, it is continued at a later date, which is announced and scheduled like the original hearing.

After the public hearing, either on the same day or at some later date, the committee considers the bill in executive session and decides upon its recommendation to the legislature. The committee may either report a bill for indefinite postponement or for passage, with or without amendments. All votes in committee are taken by roll call and the record of the vote of each member is preserved and, after the session, filed with the secretary of state, together with all votes on the bill in the legislature itself. In Wisconsin no bill dies in committee. Committees can only recommend what action the legislature shall take on bills -- not finally dispose of them.

When the committee has decided what it will do with a bill, the chairman reports its action to the house. This is a formal report, stating merely the recommendation of the committee, without giving any reasons therefor.

After presentation of the report of the committee the bill goes on the calendar of the next legislative day, which is the second day following under the order of business "BILLS TO BE ORDERED TO THIRD READING", if it is a senate bill and to "BILLS TO BE ENGROSSED" if an assembly bill, with notation of the committee's recommendation. These calendars are made out one day in advance. This applies to the assembly. Files of all bills introduced in each house are put on desks of all members and amendments are inserted following the bills to which they relate. Members thus can familiarize themselves with all measures in advance of the session, and have these measures actually before them when they act on them.

Sessions of the legislature are held in the forenoon, the rules providing that they shall begin at 10:00 A.M., unless otherwise ordered the previous day. When there are many bills to be acted on, the sessions often begin at 9:00 A.M., and there are frequent added evening sessions. In past years, however, there have been few Saturday sessions and usually no sessions on Monday until evening, or none at all.

When a bill on the calendar of the house is reached under the order of business, "BILLS TO BE ORDERED TO A THIRD READING" or "ENGROSSMENT" (which is sometimes called "the second reading stage") it is open to debate and amendment. In addition to any amendments which

the committee may have recommended, individuals may at this stage and no other, offer amendments. All amendments are acted upon in turn, unless a substitute amendment is offered, which takes the place of the entire bill -- in which case action on the bill goes over until the next calendar day. After all amendments have been disposed of, a vote is taken on the bill itself as it then stands. If this carries, the bill is said to have been "ORDERED ENGROSSED and ADVANCED TO THIRD READING," otherwise it dies then and there, unless a motion for reconsideration should be adopted.

In Wisconsin engrossing a bill means a retyping of the measure with all amendments in their proper place. Engrossed bills are not printed, but every amendment is printed separately in precisely the same way that bills are printed. Bills ordered to engrossment, if they involve appropriations or expenditures, are then referred to the Joint Committee on Finance which is the most important of all legislative committees, and is composed of members of both houses. The joint finance committee usually conducts another hearing on the finance feature of any bill referred to it, and then makes its recommendations to the house in which the bill is pending, in the same manner as do other committees. Thereafter, the bill is again subject to debate and amendment and, if it passes the gauntlet, is re-engrossed.

After engrossment, a bill is put on the calendar under the order of business "BILLS READY FOR THIRD READING," and usually comes up either on the second or third legislative day after the house has ordered it engrossed or ordered it to "THIRD READING" if it is a senate bill. At the third reading stage of the bill, there is again opportunity to debate the measure, but the bill is not then open to amendment. The house must at this stage either pass the bill or indefinitely postpone the measure.

If the bill passes, it then goes to the other house. In the other house it goes through the same procedure of committee hearing, consideration and amendment at the second reading stage, and finally of passage (only this is called "concurrence" in the other house). The second house may kill the bill, which ends it for the session, as the rules provide that no bill once killed can be revived. On the other hand, it may concur in the bill, either with or without amendments.

If the second house amends the bill, its amendments must be acted upon in the house in which the measure originated. No bill can become a law until both houses have passed the identical measure.

Even bills which have passed both houses are not finally passed so long as any amendments are in disagreement between the houses. When one house has amended the bill of another, the first house may agree to the amendment of the other house, or it may non-concur in such amendment. If it amends the amendment or non-concurs therein, the bill goes back to the second house, which then may either accept the action of the first house or refuse to do so. If it disagrees, the measure once more goes back to the first house, which then asks for a committee of conference. This is a committee composed of three members from each house who voted as did the majority of their respective houses. Its function is to try to iron out the differences between the houses, with the chances about even of doing so.

Conference committees are comparatively rare in Wisconsin, but amendments between the houses are very frequent. Nearly one-half of

BEST COPY AVAILABLE

all bills usually die in the house in which introduced, and many more are slaughtered in the other house; a few are lost between the houses because they cannot agree on precisely the same measure. Less than forty percent of all bills become laws.

When a bill has finally passed both houses in precisely identical form, it is "enrolled" by the house in which it originated. In Wisconsin enrolling means printing the bill as an act, exactly as passed. One copy of the enrolled bill is signed by the presiding officers of the two houses and countersigned by the chief clerk of the house in which it originated and by him transmitted to the governor. The governor has six days for consideration of the bill, during which he may either sign or veto the measure. If he signs the bill, it becomes law after publication in the official state paper. If he does not act on the bill at all, it likewise becomes law unless this is at the end of the session, when his failure to act constitutes what is called a "pocket veto." If the governor vetoes the measure, it goes back to the house in which it originated and then becomes law only if repassed by a two-thirds vote of both houses.

This concludes my brief presentation of the high points of the course a bill takes in becoming a law. Now, I wish to make some general observations about lawmaking in Wisconsin, which may be of interest.

Wisconsin's legislative procedure is notable in that every bill is given a public hearing and is voted upon in at least the house in which it is introduced. Massachusetts is the only other state in which this is the case, and in this practice lies one of the principal reasons for the long sessions which have become customary in this state. This procedure has its disadvantages, but does make for more careful consideration and above-board dealing in legislation.

Unusual, also, is the Wisconsin practice of casting all bills in the form of amendments to the existing statutes, instead of as additions thereto. This enables the members and others interested in legislation to know precisely what each bill does. In Wisconsin there are no blanket repeals. Every bill sets forth precisely what provisions of the existing statutes are changed, and shows both the old material which is stricken and the new material which is added.

The electric voting machine used in the assembly is another feature in Wisconsin's legislative procedure, although this Wisconsin innovation has now been copied in a few other states. By means of this device, roll calls of the 100 members can be taken in less than a minute.

Most states have much shorter legislative sessions than has Wisconsin. This does not mean that more bills are introduced or more laws enacted than in other states, but rather that more consideration is given to bills. There are some changes which might well be made in the rules to expedite sessions, but vastly more important than speed in enacting legislation, except vitally necessary emergency measures, is careful consideration. While regular legislative sessions cost in the neighborhood of a quarter of a million dollars, this amount is small compared with the total governmental expenditures which are within the control of the legislature.

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TELEPHONE: 866-5471

PEACE: THE FRUIT OF JUSTICE AND CHARITY

INSTITUTE OF HUMAN RELATIONS
LOYOLA UNIVERSITY
NEW ORLEANS, LOUISIANA 70118

FILE

February 26, 1970

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Emory:

I certainly enjoyed meeting you yesterday in Baton Rouge and especially our trip to New Orleans. I hope we can be in close contact in the future and I look forward to working with you.

Would you please put my name on the mailing list of the Southern Regional Council and send me any information you might have on labor relations.

I hope to see you soon.

Sincerely,

Dave

(Rev.) David A. Boileau, Ph.D
Director

DAB/ls

TELEPHONE: 866-5471

PEACE: THE FRUIT OF JUSTICE AND CHARITY

INSTITUTE OF HUMAN RELATIONS
LOYOLA UNIVERSITY
NEW ORLEANS, LOUISIANA 70118

July 16, 1971

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Emory:

Please excuse me for not getting in touch with you sooner concerning the possibility of your participation in our AFT convention. Budget limitations excluded the possibility of your participation. The convention was successful but we still needed more hard data and I think your participation would have more than supplied that.

I will be in touch with you soon.

Every sincere thanks for your consideration.

Very sincerely yours,

Dave Boileau

(Rev.) David A. Boileau, Phd.
Director

DAB/ls

P.S. Enclosed please find a brochure for the NCCIJ convention. I hope you can come and bring some delegates with you.

July 21, 1971

Father David A. Boileau, Director
Institute of Human Relations
Loyola University
New Orleans, Louisiana 70118

Dear Dave:

Thanks for your letter. I am sorry to have missed the AFT Institute and regret that I must not have adequately communicated my position regarding expense money. I had meant to say that I felt your program was fully worthy of our participation at our own expense. However, I was asking if the AFT was able to provide expense money. If so, we would have been pleased to have been reimbursed. If not, we would have been equally delighted to have participated with you in the program.

Of course, it is impossible to respond to every invitation, but I trust that you will have no hesitation in calling on me again.

To my great disappointment I will not be coming to the NCCIJ Convention. I had told Jack that Iwould be attending only to find out that the week of the convention was the only vacation week that I would have with my family.

Best personal wishes and please let me hear from you again.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

AC 504

TELEPHONE: 866-5471

PEACE: THE FRUIT OF JUSTICE AND CHARITY

INSTITUTE OF HUMAN RELATIONS
LOYOLA UNIVERSITY
NEW ORLEANS, LOUISIANA 70118

September 15, 1967

Dear Friend:

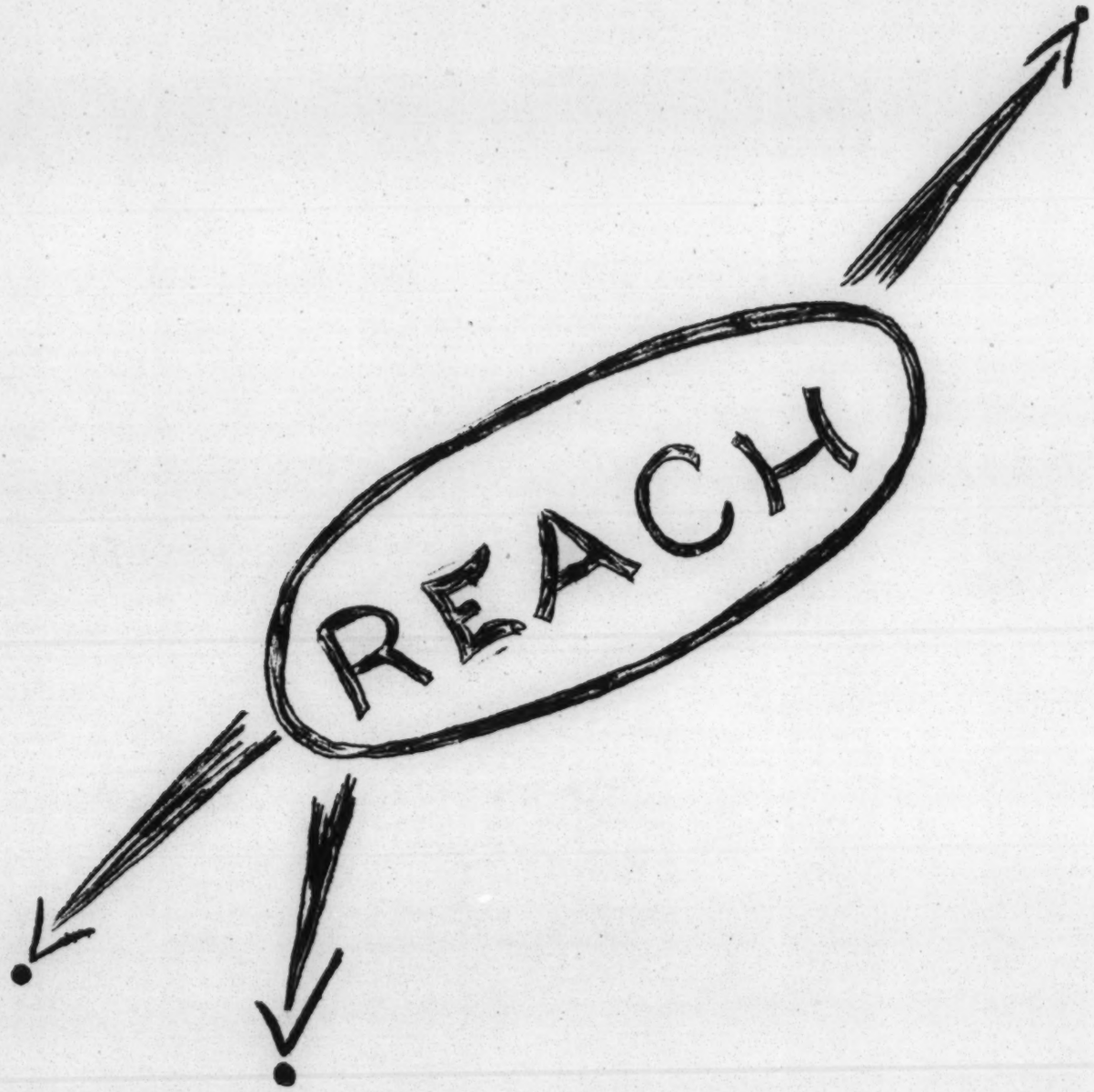
Because I felt that you would be interested in our new Experimental and Demonstration MDTA Program, we have placed you on the list for our periodic reports.

Sincerely,

Gerald E. Siefken

Gerald Siefken
Director
Project REACH

GES/eff



FIRST PERIODIC REPORT
SEPTEMBER 15, 1967

THE INSTITUTE OF HUMAN RELATIONS
LOYOLA UNIVERSITY
NEW ORLEANS, LOUISIANA

DAVID J. SAPOSS
and ELIZABETH T. BLISS[1]

The "Mohawk Valley Formula" (*)

David J. Saposs (1886-) is a labor economist associated with the Wisconsin school. Formerly economist for the National Labor Relations Board, he is now with the United States Department of Labor.

Elizabeth T. Bliss was a Junior Economist for the National Labor Relations Board.

Because the "Mohawk Valley Formula," as it is called, has played such an important role in the employers' anti-union offensive, . . . the NLRB summation is reproduced here.

"First: When a strike is threatened, label the union leaders as 'agitators' to discredit them with the public and their own followers. In the plant, conduct a forced balloting under the direction of foremen in an attempt to ascertain the strength of the union and to make possible misrepresentation of the strikers as a small minority imposing their will upon the majority. At the same time, disseminate propaganda, by means of press releases, advertisements, and the activities of 'missionaries,' such propaganda falsely stating the issues involved in the strike so that the strikers appear to be making arbitrary demands, and the real issues, such as the employer's refusal to bargain collectively, are obscured. Concurrently with these moves, by exerting economic pressure through threats to move the plant, align the influential members of the community into a cohesive group opposed to the strike. Included in this group, usually designated a 'Citizens' Committee,' are representatives of the bankers, real estate owners, and businessmen, i.e., those most sensitive to any threat of removal of the plant because of its effect upon property values and purchasing power flowing from payrolls.

"Second: When the strike is called raise high the banner of 'law and order,' thereby causing the community to mass legal and police weapons against a wholly imagined violence and to forget that those of its members who are employees have equal rights with the other members of the community.

"Third: Call a 'mass meeting' of the citizens to coordinate public sentiment against the strike and to strengthen the power of the Citizens' Committee, which organization, thus supported, will both aid the employer in exerting pressure upon the local authorities and itself sponsor vigilante activities.

"Fourth: Bring about the formation of a large armed police force to intimidate the strikers and to exert a psychological effect upon the citizens. This force is built up by utilizing local police, State Police, if the Governor cooperates, vigilantes, and special deputies, the deputies being chosen if possible from other neighborhoods, so that there will be no personal relationships to induce sympathy for the strikers. Coach the deputies and vigilantes on the law of unlawful assembly, inciting to riot, disorderly conduct, etc., so that, unhampered by any thought that the strikers may also possess some rights, they will be ready and anxious to use their newly acquired authority to the limit.

"Fifth: And perhaps most important, heighten the demoralizing effect of the above measures—all designed to convince the strikers that their cause is hopeless—by a 'back to work' movement, operated by a puppet association of so-called 'loyal employees' secretly organized by the employer. Have this association wage a publicity campaign in its own name and coordinate such campaign with the work of the 'missionaries' circulating among the strikers and visiting their homes. This 'back to work' movement has these results: It causes the public to believe that the strikers are in the minority and that most of the employees desire to return to work, thereby winning sympathy for the employer and an endorsement of his activities to such an extent that the public is willing to pay the huge costs, direct and indirect, resulting from the heavy forces of police. This 'back to work' movement also enables the employer, when the plant is later opened, to operate it with strikebreakers if necessary and to continue to refuse to bargain collectively with the strikers. In addition, the 'back to work' movement permits the employer to keep a constant check on the strength of the union through the number of applications received from employees ready to break ranks and return to work, such number being kept a secret from the public and the other employees, so that the doubts and fears created by such secrecy will in turn induce still others to make applications.

"Sixth: When a sufficient number of applications are on hand, fix a date for an opening of the plant through the device of having such opening requested by the 'back to work' association. Together with the Citizens' Committee, prepare for such opening by making provision for a peak army of police by roping off the areas surrounding the plant, by securing arms and ammunition, etc. The purpose of the 'opening' of the plant is threefold: To see if enough employees are ready to return to work; to induce still others to return as a result of the demoralizing effect produced by the opening of the plant and the return of some of their number; and, lastly, even if the maneuver fails to induce a sufficient number of persons to return, to persuade the public through pictures and news releases that the opening was nevertheless successful.

"Seventh: Stage the 'opening' theatrically, throwing open the gates at the propitious moment and having the employees march into the plant grounds in a massed group protected by squads of armed police, so as to give to the opening a dramatic and exaggerated quality and thus heighten its demoralizing effect. Along with the 'opening' provide a spectacle—speeches, flag raising, and praises for the employees, citizens, and local authorities, so that, their vanity touched, they will feel responsible for the continued success of the scheme and will increase their efforts to induce additional employees to return to work.

"Eighth: Capitalize on the demoralization of the strikers by continuing the show of police force and the pressure of the Citizens' Committee, both to insure that those employees who have returned will continue at work and to force the remaining strikers to capitulate. If necessary, turn the locality into a warlike camp through the declaration of a state of emergency tantamount to martial law and barricade it from the outside world so that nothing may interfere with the successful conclusion of the 'Formula,' thereby driving home to the union leaders the futility of further efforts to hold their ranks intact.

"Ninth: Close the publicity barrage, which day by day during the entire period has increased the demoralization worked by all of these measures, on the theme that the plant is in full operation and that the strikers were merely a minority attempting to interfere with the 'right to work,' thus inducing the public to place a moral stamp of approval upon the above measures. With this, the campaign is over—the employer has broken the strike."

[1] David J. Saposs and Elizabeth T. Bliss, *Anti-Labor Activities in the United States*, League for Industrial Democracy, New York, June, 1938, pp. 19-21.

(*)Published in Unions,Management and the Public,Harcourt Brace,1948. (permission to reproduce requested)

What Do You Think?

Translated from KÖLNER Stadt Anzeiger - Cologne, Germany, June 28, 1960

"Longer Vacations More Important than 5-Day Work Week"

Most Efficient Working Time: 8 Hours Per Day.

Marburg, Germany (AP) - A second three-week vacation period contributes more to the maintenance of an individual's capacity to work than does switching from a six to a 5-day work week, according to a medical point of view expressed here. This also applies to students whose classes are spread over six days. This was concluded by the participants of a conference at Marburg Phillips University after a discussion on the topic, "Work Fatigue and Regeneration of the Working Man - a Current Problem."

The director of the medical clinic of Marburg University, Prof. Bock said in his final report that there was general agreement that the 8-hour day was best. A prolongation of the daily working time (beyond 8 hours) in favor of a longer week-end could not be justified, medically speaking.

It is important that the additional free time be efficiently used. Not only is leisure time important but also important is "active relaxation" by means of gardening, hiking, music, games and sports.

The internist Professor Hochrein (Ludwigshafen) said that the particular burden of the working man in the modern industrial climate leads, above all, to a spiritual and emotional exhaustion. The most frequent early symptoms of such exhaustion are a certain liability of the autonomic nervous system, dissatisfaction with one's work and a general restlessness.

Tension and relaxation ought to be balanced. A one-sided and complete relaxation would not be the answer. The so-called "death of retirement" supports that point.

As a pediatrician, Prof. Köttgen (Mainz) pointed out the dangerous consequences that shift schedules and afternoon classes (still necessary in some parts of Germany) have on the children's health. Breaks between classes are in general too short, in Dr. Köttgen's opinion.

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By Gerhard Henschel and Walter H. Uphoff.

Copied from the Atlantic Monthly, March, 1961

THE BUTTONS KEEP COMING OFF

by Robert Fontaine*

I live in a mad world where the buttons keep coming off my shirts, my shoelaces keep breaking, and my neckties unravel before my eyes. Perhaps you've had a taste of this sort of thing, too. Everything you buy has to be readjusted, revitalized, and refinished, if not rejected and returned.

Even the people they turn out these days are deficient or negligent, incompetent, or lazy. I know a good carpenter who can't come this week. He may not be able to come next week, either. He doesn't know for sure. He may be fishing next week.

I wouldn't need the carpenter if the furniture we bought some time ago hadn't developed bow legs and sunken seats. The man at the furniture store said it's all coming through that way. The manufacturers sent me a nice letter. The general idea was that we aren't getting the kind of trees we used to, and so the lumber is faulty.

A friend of mine bought a new compact car to save money on gasoline. The car has a gasoline heater that used more fuel than the car does. They're all coming through that way, the dealer says. Any time you buy a new model, the dealer explains, it has bugs in it. By the time they have a chance to straighten out the bugs, a still newer model is on the lines. Our industry is so efficient, so beautifully automated, so streamlined that when you make a mistake you have to make two million of them.

Even the simple things have bugs. If I go out for a cup of coffee, the coffee is lukewarm, half in the saucer, and the sugar shaker is empty. Sometimes the sugar shaker is full, but the sugar is stuck and won't come out. It sticks like the salt and the ketchup. The waitress is sympathetic and the boss is in Florida.

We have a girl who comes in once a week to clean. She comes in once a week when she comes in. Every other week she is at a picnic for the church or a mass baptism. Now and then she sends her younger sister, who always has to leave early for a barbecue, a fish fry, or to meet her boy friend - who, by the way, is supposed to come and wash our windows, but when he wins on the numbers, he doesn't come. When he loses, he doesn't come either. He gets depressed.

Neither of the girls will dry dishes. They say the dishes dry themselves, don't they? That's right. They do.

When either of the girls does come, she has trouble washing my shirts. The seams come apart when exposed to water. I don't know of anything else to wash them in. Long threads appear as if by magic. Detergents work hard at going down deeply into the hidden dirt and dislodging the pickets at the same time. I checked with the haberdashery. They say all the shirts are coming through that way today.

I checked with the factory. They admitted that they had trouble with the seams and threads in the new miracle fabrics, which are so new and so miraculous, no one really understands them. Another few years and everything will be all right as far as men's shirts go. After all, I shouldn't feel hurt. Women's dresses come apart at the seams, too. It isn't that they're just picking on me. We're all in this thing together.

Many errors made in manufacturing today are the result of the machines being almost human, I'm told. To err is human, and these machines err. One machine does as much work as twenty men and makes more mistakes. That shows how human they are.

Then, again, when I take a bus downtown (because my new car has a bug in it), the bus is ten minutes late and the driver cannot change a dollar. I have to borrow from fellow passengers while the driver rants about people who do not have the exact change ready. While he is thus remonstrating he passes three stops, leaving six people stranded (people who, when they finally get to work, will take their revenge by making shirts that come apart at the seams and furniture that comes unglued, or even rockets whose third stage just laughs).

Nor is there any hope in the younger generation. Take a few girls I know who are college age. They transferred last year from Gates to Jaswell because, say, at Gates the crew is no good and the boys from nearby Klunk Tech are drips. At Jaswell they drop French for ceramics and English Lit. for Bronze Dipping. But they are not satisfied at Jaswell because the only place where there are good schools is Europe. So they go off to Milan, Paris, or Edinburgh. European schools are tough; seven majors a day and no fooling around. So our girls drop all that nonsense and take gouache painting, music appreciation, gastronomy, and found-object sculpture. In the end it will take them seven years to graduate, but meanwhile the living is easy, and only hard-pressed Papa with his seams coming apart and his table legs coming unglued need worry.

It's the same with the boys. Most of them are in Germany living with quaint little families, speaking bad German and learning dueling in order to bring home some scars. Others are roaming about with knapsacks on their backs, sampling Switzerland and Yugoslavia and writing sharp letters home about why are we behind in the missile race and how come we have no great poets like Dante and Goethe?

We are living in a culture entirely new in the world, a culture of responsibility dodgers and corner cutters. Nobody cares if a thing is right or not. In fact, if you try to trace a poor job of craftsmanship back, you will find, inevitably, that nobody did it.

It infuriates me terribly, and meanwhile my buttons keep on falling off.

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"State and Local Preparation for Curtailment of Defense Spending"

by John S. Gilmore
Denver Research Institute
University of Denver

This paper will offer four propositions:

(1) That the Colorado economy is substantially dependent on defense spending;

(2) That data are available to estimate this dependency, if not measure it;

(3) That curtailment of Colorado defense spending could result from several different events or circumstances;

(4) That local planning for curtailment problems is appropriate, and that specific planning actions by state government, local government, and industrial firms can be proposed.

The first two propositions will be briefly examined, and a little more attention will be given to the last two.

Direct Defense Income

The personal income directly resulting from defense spending in Colorado reached an estimated $439 million in 1962. A comparable estimate for 1950 was $99 million.[1] This income represents wage and salary payments from U. S. Atomic Energy Commission activities in the state; from military disbursements to both troops and civilian employees; and from military procurement of goods and services. Wages and salaries resulting from National Aeronautics and Space Administration activities are not considered significant during the period 1950-1962. The composition of defense personal income for this period is shown in Table I. Its origins within the state are largely in the East Slope Counties between Fort Collins and Pueblo, and in the West Slope Counties containing the Uravan Mineral Belt.[2]

Other indication of the importance of defense economic activity can derive from comparing it with the types of economic activity which used to be considered the main supports of the Colorado economy -- agriculture and mining.[3] Defense personal income is now far bigger than personal income from those two sources, combined.

Table I

WAGE & SALARY PERSONAL INCOME FROM DEFENSE ACTIVITIES IN COLORADO
(Millions of Dollars)

	Dow (Rocky Flats	Rocky Flats Construction	AEC & Uranium Contractors	Military Payrolls Uniformed	Military Payrolls Civilian	Military Construction	Martin	Other Defense Mfg. also site activation	Total
1950	---	---	3.6	* 60.	* 30.	* 2.	---	* 3.	98.6
1951	.5	---	5.1	* 95.	* 65.	* 15.	---	* 5.	185.6
1952	2.5	5.0	6.0	*100.	* 75.	* 10.	---	* 8.	206.5
1953	5.0	7.0	10.1	* 95.	* 65.	* 5.	---	* 12.	199.1
1954	5.4	---	13.1	*125.	* 65.	* 5.	---	* 8.	221.5
1955	6.2	---	14.1	*128.	* 70.	* 10.	---	* 6.	234.3
1956	7.5	3.2	14.8	*138.	* 75.	* 20.	8.2	* 7.	273.7
1957	9.1	3.0	16.8	115.8	66.4	* 35.	25.5	* 10.	281.6
1958	10.2	---	19.9	117.8	76.3	* 15.	41.1	* 12.	292.3
1959	11.9	---	21.1	125.5	76.3	* 25.	56.2	* 14.	330.0
1960	12.9	---	20.0	111.4	80.1	* 30.	95.9	* 17.	367.3
1961	15.9	.6	*18.3	*117.	* 84.	* 20.	106.	* 27.	389.8
1962	*19.0	.9	*16.5	159.0	88.9	* 20.	108.	* 27.	439.3
Source:	AEC Figures	AEC Figures	AEC Figures * Estimates	DOD Figures, & Estimates Based on Personal Income Series		JSG Estimates	Martin Figures	JSG Estimates	

Note: * JSG Estimated.

Table II

"INDUSTRIAL" SOURCES OF PERSONAL INCOME (Millions)

Year	Defense Spending	Mining	Agriculture
1950	$ 99	$ 38	$ 191
1960	367	90	220
1962	439	83	179

Note: Defense Spending supports that part of Mining devoted to uranium production, so uranium production is reflected in both Mining and Defense Spending. Uranium production was estimated to account for about one-sixth of Mining Income in 1962.

Source: Defense Spending figures are estimates, per Table I; the other figures are from the Office of Business Economics, U. S. Department of Commerce, as carried in annual August issue of Survey of Current Business.

The Total Effect

More important, possibly, is the function of defense economic activity within the system of the Colorado economy. Defense economic activity results in the import of purchasing power into Colorado, in exchange for the export of defense goods and defense services. Thus, defense activity can be described as a basic industry, which buys goods and services locally and thus supports more economic activity in local service industries. Both this direct and indirect defense economic activity induce demand for consumer goods and services which then is manifested in further support of the local service industries.[4] The sum of all these makes up the gross economic impact that defense spending brings to the Colorado regional economy.

How great is this total economic impact? Just how much of the Colorado economy depends on direct defense activity, indirect defense activity, and defense-induced consumer demand?

We have no precise answer. No study has yet been made of the inter-industry relationships in the State of Colorado, and such a study might cost $200,000 or more. However, such studies have been made of other regional economies, and their results give us a basis for estimating the order of magnitude of the gross economic impact of defense spending in Colorado.

The crucial information in these other studies is the multiplier factor indicating the additional jobs in the study area supported by each direct defense job, or the additional personal income supported by direct defense personal income. These multipliers range from a factor of $0.85 additional personal income immediately supported by each dollar of personal income from military aircraft production in the St. Louis Metropolitan Area (a 1958 study by Werner Hirsch); to a multiplier of 4.03 additional jobs eventually supported by each defense manufacturing or construction job in the State of California (a 1960 study by Tiebout, Hansen, and Robson).[5]

From a study of that material, it is here assumed that each equivalent direct defense job in Colorado eventually supports about two additional jobs within the entire

state; through both indirect defense employment and defense induced consumption employment. This is not to say that each direct defense job is directly linked to two other jobs, but rather that the direct defense employment supports a certain amount of indirect defense employment, and that the consumption of these two together supports, over the medium or long run, a substantial share of the local service employment in the state.

The total then, of all three categories of defense supported employment is estimated to be three times the direct defense employment. The same multiplier is applied to the personal income generated by direct defense employment. Such an estimated multiplier is certainly not precise, but it is believed to indicate the order of magnitude of total defense supported personal income.

With this multiplier of 3, and with the income figures already described, some estimate can be made of the importance of defense spending to the Colorado regional economy in 1962.

Table III

1962 PERSONAL INCOME

Personal Income from Direct Defense Employment	Personal Income from Total Defense Supported Employment (Col. (1) X 3 .)	Colorado Personal Income from Production (Including military activity)	Total Colorado Personal Income
$ 439 million	$1,317 million	$3,674 million	$4,520 million

Source: Estimates in this paper; and "Personal Income by States," Survey of Current Business 43 (August 1963), pp. 7-15

On this basis, personal income from total defense supported employment was 36 percent of all Colorado personal income derived from the production of goods and services, and was 29 percent of total Colorado personal income. Allowing for error, these magnitudes still indicate that the Colorado economy is substantially dependent on defense spending.

SECTION II. THE POSSIBILITIES OF CURTAILMENT

If defense spending is this important to the Colorado economy, or anywhere near this important, any prospect of major curtailment of defense spending in the state appears crucially significant. Therefore, it seems worthwhile to identify some of the possible causes of defense spending curtailment, to review what has been written about the economic remedies which might accompany such curtailment, and to conjecture briefly about the implications to the Colorado community of possible curtailment.

Types of Curtailment

A. The completion or cancellation of military procurement contracts is always a hazard to communities neighboring large defense manufacturers. For instance, in the case of Martin-Denver, newspaper reports have indicated that procurement of its present product, Titan II, will be completed in 1964. The trade press has voiced uncertainty about the future of the follow-on Titan III.[6] Furthermore, the Martin-Denver plant was built to handle 120-inch diameter missiles or vehicles, and it may not be readily feasible for it to fabricate the larger vehicles that future space programs may require. It may

be difficult for larger vehicles to be transported from Denver to remote launching sites best served by ocean transportation.[7] Thus, contract cancellation or contract completion without follow-on work appears to be just as real a possibility for Colorado defense manufacturers as it has been for those in other states.

B. Another type of local defense spending curtailment can result from fluctuations in troop strength at a military post or base. During its twenty year history, Fort Carson has housed as many as two divisions (during World War II) and as few as a few battalions (before the Korean War). This sort of variation can reflect changes in force levels of the entire establishment, or it can come from routine changes in troop assignments.

C. One foreseeable curtailment of Colorado defense expenditures is unique in that it has already been announced, several years before it is to be put into effect. The Atomic Energy Commission has announced cessation of its uranium-concentrate buying program, effective in 1970. The present rate of purchase will be substantially decreased between now and 1967.[8] Although it is possible that this AEC decision will be modified, or that there will be a substantial non-governmental demand for uranium by 1970, present prospects are that most of the Colorado uranium industry may be shut down by or during 1970.

These first three types of defense spending curtailment are essentially localized; if the defense employment were cut back only in Colorado, similar employment would probably be available elsewhere to the individual workers. The major categories of direct defense employment concerned -- missile and aircraft workers, soldiers, and miners -- all are notably mobile. The direct employment and consumption-induced employment and income presently supported in Colorado by the state's direct defense employment would certainly suffer, however.

The remaining three types of defense spending curtailment are different in nature. They would have profound local and nationwide economic implications. They would all bring cutbacks in specific defense activities almost uniquely concentrated in Colorado.

D. Either the total quantity of defense spending or the types of goods and services bought by defense spending might be substantially altered by some form of arms control between the United States and the Soviet Union. Such an agreement might be either a formal treaty, or the tacit result of unilateral decisions to limit the development or use of certain types of weapons.[9] For example, both powers have apparently hesitated to commit themselves to all-out development of orbital or other space weapons systems. Neither nation has used or permitted its auxiliaries to use nuclear weapons in the conflicts since World War II.

As a result of this self-applied inhibition, the United States at least, has substantially altered the pattern of its military procurement. In contrast with the days of almost total dependence on the "massive retaliation" concept, the United States has recently devoted large sums to rebuilding its conventional or non-nuclear forces. The Army has new rifles, tanks, and other vehicles; tactical aircraft procurement in the Air Force has been changed to develop a better non-nuclear capability.[10]

Table IV

SHIFTS IN MILITARY SPENDING EMPHASIS,
ACCORDING TO DEPARTMENT OF DEFENSE PROGRAM

Budget Requests (Billions)

Program	Fiscal 1962	Fiscal 1963	Fiscal 1964
Strategic Retaliatory Forces	$ 7.5	$ 9.3	$ 7.3
Continental Air & Missile Defense Forces	2.3	2.1	2.0
General Purpose Forces	14.7	18.4	19.1

Source: Aviation Week 76, (January 22, 1962) p. 27.
Aviation Week 78, (January 21, 1963) p. 27.

It has been authoritatively suggested that a likely form of formal arms control would concentrate on discouraging the use of strategic nuclear weapons and their delivery systems, that the cessation of production of these systems might be the most-easily concluded formal agreement on arms control, and that such an agreement might lead to even more demand for conventional weapons like those listed above.[11]

Any such shift in the mix of weapons demand could have substantial effect. Colorado's defense manufacturing is largely devoted to nuclear weapons systems; the state has little or no production of rifles, tanks, tactical aircraft, war ships, or other conventional systems.

E. Both the United States and the Soviet Union have proposed programs for general and complete disarmament, and the two have agreed in principle on the need for such disarmament. Negotiations toward an actual treaty go ahead sporadically at Geneva. The biggest single difference appears to be on the point in the disarmament process at which unlimited international inspection of each nation's war-making capability will go into effect. Another point of difference lies in the period of time allotted for disarming; the United States plan allows approximately 8-12 years, the Soviet Union proposes a 4 year process. In each, halting the production of nuclear weapons and delivery system is among the early steps.[12]

F. Finally, a substantial degree of disarmament -- internationally inspected and controlled disarmament -- might suddenly result from a major international crisis or accident. The fear of an imminent major war might precipitate such an agreement.[13] That was almost the case during the Cuban incident of 1962 (where Khruschev and Kennedy agreed on inspection of Cuba, but found themselves unprepared to carry out the agreement); it might result from an accidental nuclear detonation, or a limited war which threatened to escalate into a nuclear exchange.

In most of the imaginable cases of hurried disarmament, the precipitating factor would probably be the threat of a nuclear exchange between the United States and the Soviet Union. Therefore, the most immediate effort would probably be toward alleviating that threat with the supervised dismantling of existing offensive nuclear weapons delivery systems (such as the Lowry AFB Titans) and the inspection of manufacturing

facilities capable of producing such systems (such as the Martin plant, and others).

In each of the above three situations involving arms control or disarmament, there is the presumption that the first curtailments would fall on those defense activities devoted to the production or to the operational use of offensive (or "deterrent," or "retaliatory") nuclear weapons and delivery systems. Colorado appears to have an unmatched degree of involvement with such systems.

On the other hand, it might be assumed that the last defense activities to be curtailed under those circumstances would be facilities devoted exclusively to defensive weapons or capabilities. Thus, the North American Air Defense Headquarters at Colorado Springs might stay in business as long as any U. S. military facility, and its communications and data processing equipment would make it a logical location for a major facility of an international peacekeeping and inspection system.

The Effects of Curtailment

Given Colorado's substantial economic dependence on defense spending, each of the above described curtailment situations would probably damage the state's economy. The shape and sum of the damage would vary widely according to the exact circumstances. The possible remedies for the problems would vary almost infinitely.

To help with local curtailments, the contract terminations or the cutbacks in troops, the Secretary of Defense maintains an Office of Economic Adjustment. This is a small group, armed with little but advice based on their experience from working with community leaders in communities which have suffered curtailment of defense spending.[14] General, or nationwide, curtailment of defense spending would undoubtedly have much more serious economic impacts.

Two studies of the economic effects, at the national level, of negotiated disarmament have been published recently after being performed for the Program of Research on Economic Adjustments to Disarmament (READ). Although the Colorado regional economy is quite different from the national economy in magnitude and in industry mix, some of the READ studies' results can be translated into magnitudes appropriate to the Colorado economy and in that way they may furnish indicators of what might happen here.

One study by Daniel B. Suits used the econometric model of the Research Seminar in Quantitative Economics at the University of Michigan. This, a 32 equation forecasting model, was programmed to analyze the effects of a reduction in the U. S. defense budget from $60.2 billion in 1965 to $28.2 billion in 1977 (a 12 year period of disarmament). The cutback was apportioned approximately 1/3 to military salaries and 2/3 to military procurement.

The model indicated that the expected curtailment would reduce employment by 5.2 million jobs (about 7.8 percent) which might double if private investment rates fell substantially. This cut in employment might be limited to 1.5 million, the model indicated, with a $13.2 billion tax cut, and $10 billion worth of additional federal grants to support state and local government spending.[15]

It is Suits' assumption that the problem would be to maintain effective demand, in the fact of this curtailment of defense spending and in the effective demand supported by it. The same assumption is made by the others whose work is reviewed here.

The second study was an examination of the short-run effect of reducing the military budget by 20 percent and simultaneously reallocating that dollar amount of effective demand to other purposes, e.g., personal consumption, residential construction, exports to China, etc. The figures used were 1958, and they were processed through an updated version of Leontief's 1947 input-output table.

If these figures are reduced to indicate the effect of reallocating $600 million (a rough estimate of current annual defense purchases of goods and services in Colorado) away from defense, the gross loss in defense supported employment would range from 62,700 jobs to 73,300 jobs. After the $600 million was then added to the alternative types of final demand, assuming complete substitutability of the displaced labor and other factors, and assuming they would still be used in Colorado economic activity,* there would still be a net loss of 22,500 to 42,800 jobs in all but one of the alternative categories. The only shift which would result in a net increase in Colorado employment would be reallocation of the entire $600 million into government employment within the state. In that case, there would be a net increase of 37,200 jobs.[17]

A number of more subjective studies have touched on what might happen in case of general curtailment, and on what might be done about it -- at the national level. An article by Leo and Betty Fishman suggests that a substantial disarmament program spread over seven years, with the decrease in federal expenditures applied entirely on national debt reduction, could result in over 21 million unemployed. This forecast suggests that such disaster could be avoided by appropriate fiscal and budgetary policies; what is appropriate would depend on the state of the economy at the time a disarmament agreement is concluded.[16]

Another article, by Warren Smith, defines the problem as one of keeping aggregate demand in the U. S. economy growing at a rate of $28-35 billion a year, in spite of declining defense expenditures. Smith suggests that this can best be done through budget and tax changes. He says that these should be within the discretionary power of the President in order to promptly cope with the "announcement effects" of a disarmament agreement, the immediate deflationary impacts on business and consumer expectations.[18]

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* This assumption is probably too optimistic; some of the alternative demands would probably involve economic activities not oriented toward Colorado locations. Richard Nelson says, "Quite possibly something should be done to reduce the cost of moving (scientists and engineers) since there is likely to be a considerable shift in the geographical composition of demand." Richard R. Nelson, "The Impcat of Arms Reduction on R & D," American Economic Review, LIII, (May 1963) pp. 436-446.

Leslie Fishman examines four alternative policy approaches, and summarizes their effects:

> An income tax cut is quite buoyant, particularly if it emphasizes the lower-and middle-income groups. A corporate profits tax reduction is quite deflationary, except if it were to result in price reductions -- not a very likely possibility. Increases in government spending for non-armaments is likely to be mildly buoyant and stimulating. Finally, reduction of the federal debt is likely to be extremely deflationary.[19]

And Adolph Strumthal emphasizes that two sets of policies will be needed to solve the employment problems resulting from disarmament; general full-employment policies to establish the volume of effective demand at a satisfactory level; and specific policies to absorb the local, industrial and occupational "pockets" of unemployment resulting from disarmament.[20]

Colorado's Problems

This has not been an exhaustive examination of alternative federal reactions to the economic problems of disarmament, but it may furnish some idea of the problems which disarmament or other curtailment of defense spending might bring to Colorado. To summarize these:

A substantial part of the Colorado economy appears to presently depend on defense spending. The Colorado defense activities complex is particularly oriented toward nuclear weapons and long-range delivery systems.

There are a number of foreseeable circumstances in which defense spending might be curtailed with substantial impact on local areas within the state, or on the entire state. In the case of arms control or disarmament, there will probably be federal action to minimize economic dislocation during the transition. In both those circumstances, and in case of localized curtailments, there are also apt to be unique local problems.

Since Colorado has more than its proportional share (e.g., a share commensurate with its 1 percent of U. S. population and 1 percent of U. S. personal income) of defense activities, it might be unusually susceptible to a nationwide curtailment of defense spending.

Table V

COLORADO'S "SHARE" OF POPULATION,
PERSONAL INCOME, & DEFENSE ACTIVITY -- 1962

Colorado has 1.0 % of U. S. Personal Income

Colorado has 1.0 % of U. S. Population

Colorado has 2.0 % of U. S. Military Payrolls

Colorado has 2.3 % of U. S. Prime Military Contract Awards

Colorado has 2.9 % of U. S. Atomic Energy Commission Expenditures.

Sources: "Personal Income by States in 1962," Survey of Current Business 43, (August 1963) pp. 7-15;
U. S. Department of Commerce, Statistical Abstract of the United States, 1963 (Washington: Government Printing Office, 1963);
U. S. Congress, Joint Economic Committee, Background Material on Economic Aspects of Military Procurement and Supply, (Washington: Government Printing Office, 1963) p. 5;
Military Prime Contract Awards by States, June 1962 (Washington: Office of the Secretary of Defense, 1962);
U. S. Atomic Energy Commission, Annual Report of the U. S. Atomic Energy Commission -- 1962, (Washington: Government Printing Office, 1963).

With much of the state's defense manufacturing committed to very advanced technology (aerospace and nuclear weapons),* those plants and personnel may represent rather non-mobile resources. They may not be readily adaptable to production of consumer goods and industrial goods, the demand for which might replace the demand for weapons.[21]

Further complicating reconversion problems is Coloardo's remoteness from both large consumer markets and oceangoing ports. Recent study has indicated that locally manufactured goods with a value of less than $2.00 a pound are difficult to transport and market in the mass markets outside the state.[22]

Such localized factors as these indicate that localized problems would exist, and that local planning and decisions would probably be needed for their solutions.

* Colorado military contracting in 1962 was the most specialized of that in any of the 15 leading military contracting states. Eighty-six percent of Colorado's military contracts were for missile programs, and this was further specialized by the Titan program's domination of Colorado military economic activity. See Five Year Trends in Defense Procurement 1958-1962. (Washington: Office of the Secretary of Defense, 1963) p. 9ff.

SECTION III THE NEED FOR PLANNING

> Planning -- "....thinking in ways that will lead you to do something better. What do we start doing now that we're not doing? What do we stop doing that we are now doing?"
>
> Walt W. Rostow[23]

The first requisite of planning is problem identification. It does appear that curtailment of defense spending would affect such Colorado state governmental agencies as those concerned with employment and unemployment compensation, welfare, vocational education and retraining, education, and economic development. Depending on the degree of curtailment, cities, counties, and school districts might be up against sudden changes in population and tax base. Hasty professional retraining problems might be required of the universities. Industrial firms might face entirely new requirements for their product design, production, and marketing operations. Labor organizations might find themselves representing workers whose highest skills were no longer in demand, and whose seniority would be useless in protecting obsolete jobs.

More difficult to plan for would be some of the major institutional changes that might affect a variety of agencies or organizations. For instance, the verification, inspection, and enforcement activities required by a disarmament or arms control agreement might include the inspection of all transportation media, as means of detecting secret production or deployment of nuclear weapons. Hypothetically, international inspection teams, with the right of unlimited search, might be stationed in a ring around Denver -- a major weapons production center. This might involve such things as 15 or 20 inspectors, from all nations, living in towns like Castle Rock (population 1,280) with their families, enjoying some sort of diplomatic immunity or extra-terratorial privileges. Their function would be stopping, opening, and inspecting the cargoes of both private and public freight carriers, looking for prohibited weapons. They would probably require access to all waybills, bills of lading, and other transportation documents. Perishable cargoes might spoil as a result of delay or inspection, raising new questions of liability. Waiting time for truck and train crews during inspection would doubtless be topics for collective bargaining. Many other problems might arise from inspection.

The costs of such social and economic changes might be considerable; but our society may have incurred such costs when it acquired nuclear weapons and the ability to deliver them any place on the globe in the face of any foreseeable defense. Criteria for judging the acceptability or feasibility of these costs, such as costs of inspection, are hard to identify; the only measure this writer can propose is comparison with the discounted contingent cost of failing to achieve disarmament with international control of weapons. One estimate of these costs, the costs of failure, is offered by Secretary of Defense Robert McNamara, answering a question about what the military situation would be after a nuclear exchange between the Soviet Union and the United States:

> This is a question we have considered, and I can't answer it. I think probably the fatalities in Western Europe would approach 90 million, the fatalities in the United States would approach 100 million, and the fatalities in the Soviet Union would approach 100 million.

> Now when you consider on the order of 300 million people dead in these areas, it is very difficult to conceive of what kind of military weapons ..... would continue to exist. We have nonetheless faced that issue, and we have systems provided that we believe would survive.
>
> But it exceeds the extent of my imagination to conceive of how those forces might be used, and of what benefit they would be to our Nation at that point.[24]

After weighing some of the problems of disarmament against the discounted costs of using nuclear arms, the government of the United States has chosen a policy of asking for general and complete disarmament.[25] One official statement has noted that disarmament could bring economic problems of structural or geographic unbalance, and that efforts would be necessary to maintain aggregate economic demand. The statement went on to take an optimistic view, concluding that:

> With advance planning and sensible policies at all levels of government and on the part of business and labor, it should be possible to master both of these problems satisfactorily.[26]

Although much of the "advance planning and sensible policies" must come from the federal government, within the State of Colorado certain suggestions for local action might be appropriate. All of them apply to planning for either local curtailment or general curtailment:

(1) Identify potential demand for additional goods and services which might be required in the future from both the public and private sectors of the Colorado economy. Planning should be for more than just the transition during the actual time of defense spending curtailment; it should also cover the period of redevelopment afterwards. This indicates a need for analyzing the effective demand (for goods and services) that might be created by government action to ease the transition, and for identifying prospective new or additional demand that might exist in both the public and private sectors of the economy afterwards. Two studies of this sort have totalled large additional demand figures for the national economy (see Table VI), but more detailed and localized data seem appropriate for Colorado industrial firms and government agencies.

(2) State government agencies and city, county, and regional planning agencies should carry on planning for defense curtailment and reconversion. The present period of high defense spending and relative prosperity in Colorado would seem as appropriate a time as will ever exist for all government agencies to start examining this problem.

Economic development agencies -- in the state government, in chambers of commerce, and in the public utilities and banks -- should seek to identify and develop opportunities for non-defense industry and other economic activity in Colorado. The possibilities for legislative action toward this end should also be studied.

At the local level, planning commissions and planning consultants might include a defense spending dependency analysis in their economic base studies.[28] This, in turn, would be of help to city and county agencies and school boards. There is a specific opportunity and need for the large uranium milling and mining firms, the AEC, and the local governments in the West Slope uranium mining area to jointly support research and planning to minimize the impact of curtailed uranium production.

(3) Colorado industrial firms and other employers, particularly those engaged in defense production, could be encouraged to carry on reconversion planning. The Department of Defense has vaguely suggested that this be done,[29] but the state government might offer

Table VI

ADDITIONAL NATIONAL EXPENDITURES FOR THE 1960'S

(Billions of Annual Expenditures)

Category	Benoit Figures	Hazard - NPA Figures Public	Private
Ending Poverty	$6.4 - 8.8		$115.
Industrial Plant	16.3		18.
Health	7.8	$16.	20.
Education	11.6	13.	4.
Housing	4.5		
Urban Water & Sanitation	4.5		
Urban Transportation	1.0	26.	32.
Water Resources	7.9		
Natural Resources	1.6		
Arts & Research	1.4	4.	10.
Space		7.	
Foreign Aid	2.0	5.	5.
The UN		5.	
TOTALS	$65.0 - 67.4	$76.	$204.

Source: Benoit, Emile, "Alternatives to Defense Production," Disarmament and the Economy, ed., Emile Benoit and Kenneth Boulding, (New York: Harper & Row, 1963) pp. 203-220.

Hazard - figures prepared by National Planning Association, based on the Report of the President's Commission on National Goals, Goals for Americans, (Englewood Cliffs, New Jersey: Prentice-Hall, 1960), and published in Leland Hazard's "Can We Afford Our National Goals?" Harvard Business Review 40, (May-June 1962) p. 6ff.

greater incentive by legislatively offering state corporate tax credits (or other tax incentives) for such planning expenditures.

(4) The State of Colorado, and its Congressional delegation, might actively push for more preparation and planning by the federal government for the problems of curtailment and reconversion. With Colorado's economy partly supported by more-than-average levels of defense spending, the state can anticipate more-than-average problems from curtailment. Therefore, the state authorities might ask for an aggressive and credible* federal program to identify and plan for curtailment problems. A credible federal program is here defined as one clearly showing government concern for curtailment planning, and one effectively encouraging examples of planning effort at every level of government.

It might also be pointed out that, if the federal plans are to work, it is necessary for state and local governments and industrial firms to have some idea what the federal reconversion plans will be so that local planning can harmonize with them.

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* For credibility, an audience should believe that the communicator knows what he is talking about (expertness factor), and it must believe the communicator wants to give out the full story to the best of his abilty (trustworthiness factor). See Carl I. Hovland, Irving L. Janis, and Harold H. Kelley, Communication and Persuasion: Psychological Studies of Opinion Change, (New Haven: Yale University Press, 1953), p. 21. For a study of some problems befalling a federal planning agency which failed to establish itself as a credible source of information and advice on the problem it was supposed to solve, see John S. Gilmore, Public Acceptance of an Optional Home Fallout Shelter, (Denver: Denver Research Institute, University of Denver, 1961).

Conclusion

These suggestions depend mostly on political action. This seems appropriate; the major problem -- general curtailment of defense spending -- would probably result from a political action: the conclusion of an international agreement on arms control or disarmament. Such an agreement would be politically difficult to conclude and accept if it promised only economic uncertainty and possible disaster. Since such an agreement appears to be a possibility, since there is uncertainty as to how it might come about, since it might even be concluded on short notice under threats of military catastrophe, it seems only reasonable that we do what we can to prepare and plan for it. The present degree of uncertainty is a credit to no one. As Kenneth Boulding says:

> The implication of all this analysis is that disarmament is now no longer a dream of the idealist, but has become a matter of intense practical concern. It represents a social system with very large payoffs, a system which is difficult to achieve, but in which the payoffs are so large that it is well worth devoting major resources to the end of achieving them. This is why a discussion of the economic consequences of disarmament is something more than playing with pipe dreams. It is one small step in a long intellectual process. That fact that the economic consequences of disarmament for the United States, for instance, might be calamitous if the transition were not handled wisely is one small obstacle on the path that leads to a much better state of the world than we have now. Even though a very large stone blocks the entrance to the path, in the shape of the world bargaining problem and the extreme difficulty of achieving a world social contract under present conditions, it is important to work on the path as a whole and to gain experience in removing those obstacles that at least we know how to remove.[29]

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LABOR DEVELOPMENTS, International. The pattern of international labor developments during 1963 continued to show industrialized countries increasing their gross national product while underdeveloped countries stagnated, largely because of inadequate capital and capital goods to stimulate economic growth. Population growth continued at a pace that made it difficult for such countries to maintain even the existing per capita incomes and living standards. Automation in many forms spread rapidly in much of the industrialized world, bringing with it greater output and productive capacity but also threatening to increase the number of unemployed. In the United States it was estimated that an average of at least 2 million workers per year will be displaced by automation during the 1960's, creating a tremendous challenge to the economy. See AUTOMATION.

Labor developments and the industrial relations climate were influenced quite naturally by the labor-management relations climate within the various countries, the activities of the trade unions and the international labor organizations, and the policies of governments.

International Organizations. The International Confederation of Free Trade Unions reported a membership of 57 million in 108 countries. The World Federation of Trade Unions, an organization of communist oriented unions, claimed a membership of 120 million. A third small international organization, the IFCTU, a federation of Catholic trade unions, has members in Western Europe and Latin America. For data on labor organizations, see AMERICAN FEDERATION OF LABOR (AFL-CIO), INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS, INTERNATIONAL LABOR ORGANIZATION, WORLD FEDERATION OF TRADE UNIONS, and *International Federation of Catholic Trade Unions* in SOCIETIES.

Efforts to improve economic and working conditions took a variety of forms. The International Labor Organization, a UN specialized agency, waged an active educational campaign to raise economic, health, and safety standards throughout the world. Education and training were stressed in the programs of the labor organizations and the ILO as a means of raising living standards. In the less developed areas, four aspects of population tended to retard economic development: the relatively high rate of population growth, unfavorable age structure, unbalanced population distribution, and inadequately educated and trained manpower. Another important factor related to economic development is the proportion of the population still living in rural areas. Most developing countries have only 5 to 10 percent of their work force in urban and industrial jobs. The stock of high-level manpower possesssed by a country is perhaps one of the best indicators of its state of economic and social advancement. In the most advanced countries the number of persons with 12 years education or its equivalent exceeds 100 per 1,000 inhabitants, while in underdeveloped countries it may be as low as 1 per 1,000.

In the period before Asian and African countries achieved independence, the growth of unionism was frequently accompanied by strikes against the "foreign" employer. Unions were closely allied with political struggles for independence, and many of their leaders moved to government positions. Udomo, a prototype of the new African revolutionary leader once stated, "Our country has three enemies. First there is the white man, then there is poverty, then there is the past." Now familiar with problems of development, he feels that the white man has turned into an ally against poverty. In Latin American countries, which achieved national independence about a century ago, employers cannot as frequently be identified as foreigners. According to the U.S. Department of Commerce, more than 600,000 Latin Americans worked for U.S. companies.

Africa. On the African continent, unionism can be found in all countries except Ethiopia and the Portuguese and Spanish territories. Two trends in African labor organizations during 1963 deserve attention. First, the new surge for "African unity" (demonstrated at the governmental level by the successful Addis Ababa conference in May) dooms the two competing pan-African labor groups. (The All-African Trade Union Federation (AATUF) includes the labor federations of the militantly nonaligned Casablanca bloc nations; the African Trade Union Confederation (ATUC) includes 30 countries' 41 labor federations, half of which were ICFTU affiliates and a quarter were IFCTU members.)

The second trend is that African labor organizations were becoming more and more subordinated to government control. For example, the Moroccan Federation of Labor (UNT) disaffiliated from the ICFTU in January under pressure to follow the government's foreign policy line, and the Algerian Federation of Labor decided not to disaffiliate from the ICFTU after a suggestion from Premier Ben Bella. Almost all governments now place severe restrictions on the right to strike, justifying the restrictions on the grounds that strikes interfere with economic development and deter foreign investment. Even the "moderate" government of Tanganyika exiled the president of the Tanganyikan Federation of Labor, Victor Mkello, for his part in an illegal plantation workers' strike in 1963. Reports of labor unrest were widespread. A report from Lagos, Nigeria on September 28, stated that "More than 200,000 workers were on strike in different parts of the country today to back union demands for a commission of inquiry into pay scales." The strike was called off after the demands for an inquiry were granted.

African labor unions continued to play an important political role. Serving as training grounds for leaders, unions provided top-level and secondary leaders in most countries; examples are Cyrille Adoula of the Congo, Rashidi Kawawa of Tanganyika, and Tom Mboya of Kenya. The unions represent an economic and political elite, and an estimated 14 million African workers accept the directives of union leaders, even though many of them are not union members. The ICFTU, with 28 affiliates in Africa, has an African Regional Organization, with headquarters in Lagos, Nigeria, and its Kampala Labor College in Uganda trains union leaders. The IFCTU has 14 affiliates which participate in its Pan-African Workers' Congress, formed in 1960. The WFTU has only seven affiliates in Africa, the only significant one in Guinea. The AFL-CIO and the central bank of the West German unions each loaned $375,000 during 1963 for a 287 family-unit housing project in Nairobi, Kenya, which will provide employment for 300 workers for the next two years. See AFRICA.

Asia. There were few noteworthy developments in 1963 among Asian labor organizations. The ICFTU continued to work with its regional affiliates. The WFTU had tensions within its Asian affiliates over the question of which side to take in the Sino-Soviet rift. (See WORLD COMMUNISM.) The ILO continued to send productivity missions to various countries. However, there has been phenomenal development in Japan (q.v.). The development since 1952 was made possible, in part, through the efforts of the Japanese Productivity Center begun in 1955 with assistance from the U.S. and Japanese governments. The Japanese Trade Union Congress (Zenro-Kaigi) in September 1963 voted to establish a JTUC Solidarity Fund to collect a total of 100 million yen to support trade union development in Asia and Africa. On the domestic front the JTUC called upon the government to take stronger steps to halt the price rises that accompany increased production. It charged that the SOHYO labor federation, which claims to be neutralist, is actually in the communist camp, and cited a visit to the Soviet Union by 30 of its members and plans to send members to a women's conference of the WFTU at Bucharest, Rumania, in October.

Europe. The most noteworthy labor developments in Europe involved labor disputes. The most turbulent occurred in France (q.v.) in March 1963, when 180,000 miners walked off their jobs in government-run coal mines. They demanded an 11 percent wage hike to "catch up" with wage levels in private industry, particularly because prices had risen 17 percent since 1958, increasing 5 percent in 1962–63.

CLEAR newsletter

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LABOR EDUCATION PROGRAM OFF TO A GOOD START

.....NOTICE.....

CLEAR sponsors Special Symposium on Employment with Colorado Labor Council

A special symposium on the "Economic, Political and Psychological Aspects of Employment" is scheduled at the Hotel Albany, 1411-17th St., Denver, on May 22-23. Sponsored in cooperation with the Colorado Labor Council, the program will bring together experts from labor, government and the academic community to discuss one of the most basic problems facing America.

Out of state speakers will include: Nat Goldfinger, Washington, D.C., Director of Research, AFL-CIO; Prof. Joel Seidman, University of Chicago and a representative of the President's Council of Economic Advisors. University of Colorado faculty members on the program include: Professors Leslie Fishman, Machael Kalk, Dorothy Martin, and George Zinke. Others are: Prof. Donald Seastone, CSU, and Prof. John S. Gilmore, of Denver University (invited) and William Bailey, Director of the Denver office of Manpower, Automation and Training (invited).

Sessions will begin at 7:15 P.M. on Friday the 22nd and continue through Saturday afternoon. The registration fee is $6 per person, including Saturday luncheon. Checks should be made payable to the University of Colorado and mailed to CLEAR, 102 Woodbury Hall, Boulder.

Unions are invited to consider sending representatives at their next meeting. Please use the application blank on the back page.

Over 300 Enrolled in Short-Course by Feb. 1

Labor Education short-courses have been held or are scheduled in seven of the State's eight Central Labor Bodies since Professor Walter H. Uphoff, formerly Director of Labor Education at the University of Minnesota, joined the CU faculty last July.

Courses given to date include "Leadership Training", "Union Administration", "The Worker as a Citizen", and "Steward Training". A course on "Effective Speaking on Current Labor Issues" is scheduled to begin at Fort Collins in March.

The largest class to date was held at Grand Junction for the Trades & Labor Assembly January 30th to February 1st, where 64 persons from 12 locals participated.

Other courses offered by CLEAR this fall and winter include:

LaJunta (Otero County Central Labor Council: Three week-end courses in October, November and December. 25 enrolled from 7 locals.

Denver Area Labor Federation: An 8-week course on "The Worker as a Citizen" - with 33 persons enrolled from 16 locals. Another course is scheduled to begin February 5th.

Northern Colorado Labor Council: Four sessions at Fort Collins and 4 at Greeley with 37 enrolled from 8 locals.

Colorado Springs Area Labor Council: Two all-day Saturday sessions held to date and another to be scheduled. 15 enrolled.

Colorado Union of Public Employees (CUPE) at Pueblo had 24 persons from public employee locals in that area take part in an introductory course on "Grievance Procedure for Public Employees" on December 5th.

(Continued on page 3)

[1964] 3/11/64

Response to a question put to members of Local #189
American Federation of Teachers (Workers' Education Local)

Question: In terms of priorities for labor education, what do you think are the important educational needs of trade unionists today?

We must remember that trade unions are made up of: 1) officers and leaders (at various levels), 2) interested and active members and 3) inactive dues payers. Obviously each group has different interests and needs. Labor education programs must develop and present materials that deal with the fundamental issues of our time as well as continue to provide the "bread and butter" courses asked for (since personnel in organizations obviously change with time and do not absorb information or training by osmosis).

Both leaders and members need help in "broadening their horizons" on such subjects as:

1. Understanding How Our Economy Functions
2. Comparative Economic and Political Systems
3. The Worker as a Citizen
4. The Role of Collective Bargaining and the Role of Government in Meeting the Needs of Workers
5. Understanding Psychology and Human Behavior
6. Unions in Historical Perspective
7. The Requirements of a Full-employment Economy
8. Constructive Use of Automation and Technology
9. Factors Causing International Tensions
10. Economic and Political Factors in Armaments and Disarmaments
11. Understanding the Civil Rights Struggle
12. Understanding the "Left", "Right" and "Center"
13. Effective Written and Oral Communication

Without at least some skill in (#13) passing on at least part of what is learned in the other 12 areas: 1) to other members, 2) to family and friends and 3) to the broader community, the value of the knowledge received is minimal. This skill can be reflected in better resolutions at conventions; more interesting union meetings; better union publications and newsletters; good letters to the daily press; effective participation in forums, radio and TV programs; active participation in community affairs; and sounder union programs for: 1) full and fair employment, 2) world peace, 3) civil liberties and 4) a greater degree of political and economic democracy.

There is also need for more intensive and extensive study for leaders who have already participated in basic courses and experimentation on the best way to reach the people who should be reached.

By
Walter H. Uphoff
3/11/64

THE COMMUNICATION PROCESS

Fill in Numbers and Letters that apply.

- COMMUNICATION
  - Internal
    - Upward
      - Formal
        - Written 1, 2, 10
        - Oral a, e
      - Informal
        - Written _____
        - Oral _____
    - Lateral
      - Formal
        - Written _____
        - Oral _____
      - Informal
        - Written _____
        - Oral _____
    - Downward
      - Formal
        - Written _____
        - Oral _____
      - Informal
        - Written _____
        - Oral _____
  - External
    - Upward
      - Formal
        - Written _____
        - Oral _____
      - Informal
        - Written _____
        - Oral _____
    - Lateral
      - Formal
        - Written _____
        - Oral _____
      - Informal
        - Written _____
        - Oral _____
    - Downward
      - Formal
        - Written _____
        - Oral _____
      - Informal
        - Written _____
        - Oral _____

Main Forms of Communication

Written:

1. Letter
2. Memo
3. Newspaper
4. Newsletter
5. Resolution
6. Book
7. Pamphlet
8. Bulletin Board
9. Handbills
10. Telegram
11. Flannel Board
12. Films and Filmstrips

Oral:

a. Talk
b. Lectures and Speeches
c. Radio
d. T.V.
e. Telephone
f. Phonograph
g. Tapes
h. Parliamentary Motion
i. Bull Sessions

Prepared by:
Walter H. Uphoff, CLEAR
University of Colorado
4/10/64

THE SCHOOL FOR WORKERS
EXTENSION DIVISION
UNIVERSITY OF WISCONSIN
ANNOUNCES

AN ADVANCED SEMINAR FOR FULL-TIME UNION OFFICIALS

JULY 6-10, 1964
MADISON, WISCONSIN

1

PENSIONS
and
HOSPITAL-MEDICAL PLANS

and
SIGNIFICANT DEVELOPMENTS IN

Manpower Planning
Poverty Programs
National Political Scene

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COURSE ON "COLLECTIVE BARGAINING" TO BE GIVEN AT DENVER CENTER THIS FALL

Economics 462, "The Economics of Collective Bargaining" will be given at the Denver Center on Friday evenings from 5:35 to 7:55 starting September 24 and continuing until January 28. The course will be taught by Professor Bob Repas of Michigan State University who will be on the CLEAR staff part-time for 1965-66. This is one of the courses which Professor G. W. Zinke teaches at Boulder and which he has also taught at the Denver Center.

While pre-requisites and permission of instructor are required for college credit, adults who may not have all the required background can also take the course, but without receiving credit. The fee is $39. Persons interested in registering for the course are urged to contact the Denver Center, 1100 14th St. for a bulletin. Phone 244-6081. Registration dates are Sept. 14 for graduate students from 4:00 to 7:30 P.M. Undergraduate students M through Z, 10:00 A.M. to 1:00 P.M. and 4:00 to 7:30 P.M. on Sept. 15. Undergraduates A through L will be registered at the above hours on Sept. 16. There will be an additional fee for late registrants

Professor Bob Repas of Michigan State University Joins CLEAR Staff for 1965-66

Bob Repas, Associate Professor of Labor and Industrial Relations at Michigan State University will be on sabbatical leave from that institution and has agreed to assist CLEAR with its labor education programs on a half-time basis this year. His other time will be spent doing research on collective bargaining among public employees.

Bob has had extensive experience in labor education and will be a welcome addition to the staff. He worked with AFSC&ME Chemical Workers and the ACW. He also taught at the University of Wisconsin School for Workers and was Labor-International Affairs Rep. for the American Friends Service Committee before joining the faculty at Michigan State. In 1949-50 he had a labor fellowship at Ruskin College in England.

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Unions desiring help from CLEAR in developing their educational programs are invited to write to:

Center for Labor Education and Research
(CLEAR) Department of Economics
119 Macky, University of Colorado
Boulder, Colorado 80304
or call 442-2211 Ext. 6162

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"Role of Labor" Course at Denver Center - Second Semester.

Social Science #312, a 3-credit course on "The Role of Labor in the 20th Century" has been given twice on the Boulder Campus and was given at the Denver Center during the spring semester. Twelve union members and eleven students with no union affiliation took the course. Unions represented included: AFT, Bricklayers, Fire Fighters, ITU, Teamsters, Machinists, Pressmen, Lathers, Brewery, Lithographers, Plumbers and Rubber Workers. Five students, who were eligible, took the course for graduate credit by doing heavier assignments.

Unions and union members interested in this course are invited to contact CLEAR or the Denver Center for details before the second semester begins. The course will again be taught by W. H. Uphoff, Professor of Economics & Director of Labor Education.

THE NATION

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Wages vs. Benefits

WHO GAINS from the FRINGES? . . . Donna Allen

Hard upon the United Auto Workers' negotiations, in which fringe benefits rather than wages made the headlines, have come newspaper reports that the demands now being prepared by the Steelworkers will also give benefits precedence over money in the pocket. [See "GM Strike: Prototype for More Conflict" by B. J. Widick, *The Nation*, November 16.] This time it sounds like the ultimate demand: "Above all," the press quotes the union resolution, "we must strive for a total realization of the principle that a steelworker is a person entitled not to just this protection or that, this benefit or that, but total protection of his income, his dignity and, yes, his career."

After twenty-two years, the fringes are more popular than ever, dominating the collective bargaining news from companies large and small. Business publications confirm the headlines: "Fringe costs are rising faster than wages!"

Is this bad? Do employers really oppose fringe benefits? Would they prefer to grant the same amount of money in wages? Would they be better pleased if social gains were won through legislation? Why do the unions emphasize fringes at the expense of wage increases? Are they worth more or less than wages to the worker? To the employer? Is the public interest served by these bargains?

Fringe benefits, as a part of collective bargaining, date from World War II; indeed, they followed within months upon the "wage freeze" imposed in July of 1942 by the War Labor Board. With tripartite unanimity, industry, labor and public members of the War Labor Board agreed that fringe benefits were less inflationary than cash wage increases. Each time it allowed such a benefit, the WLB carefully pointed out why it was non-inflationary. It said, for instance, that a paid vacation merely gave the worker time off; it did not increase his total cash income. And the vacation's cost to the employer was offset by the increase in production he might expect from a well-rested worker.

Historically, unions were uninterested in benefits employers offered, usually outside the negotiated contract. They had so often heard the plans described by the employers as a way to increase productivity, to raise employee morale, to reward certain employees or certain employee behavior, or, sometimes, to discourage unionism, that they looked on the fringe as of more benefit to management than to labor. Moreover, the unions had seen many of these benefit plans come and go: mutual benefit associations, savings plans, and even a few unemployment compensation plans were introduced before the 1920s; and during the 1920s new ones arose, among them group life insurance and stock purchase plans and many pay-as-you-go pension plans. Some were discontinued after a few years' experimentation; the rest vanished in the depression.

Neither workers nor their unions had had any control over these plans, and they therefore welcomed the contractual nature of the WLB-granted fringe benefits which were assured (at least for the duration of the contract) and whose terms and conditions were negotiable. But their real preference was still, as it had been during the 1930s, to win their social benefits through legislation. Benefits so won became clear and legal rights, and were not conditional on the whim or compensating benefit of an individual employer. The unions intended that the war be no more than a partial and temporary interruption to the winning of further social gains by political means.

Accordingly, when controls were lifted after the war and unions were free once again to strike, they concentrated on wage increases in the 1946 "first round" of negotiations, and presented to Congress a broad political program for new so-

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Donna Allen, a labor economist, has worked for a number of unions and has taught at the Industrial and Labor Relations School, Cornell University. She is the author of Fringe Benefits: Wages or Social Obligation? *(Cornell University Press).*

tial legislation. But it did not take them long to discover that that door was closed to any further progress. At the same time, they found that another door stood slightly ajar. Thus, when the "third round" of postwar negotiations was held in 1949, the fringe-benefit demand was "in full bloom," as the Chamber of Commerce reported in its annual survey.

Divided by attack and hobbled by new laws restricting their political activities, the unions found themselves no match for a Congress that had little disposition to pass either social legislation or the business taxes to finance it. The money was there. The long period of prosperity that had begun with the war was what made the fringe-benefit movement possible; it could as well have financed social legislation.

As it became clear that national health insurance was dead, health and welfare plans began to flourish. Today they cover more than 100 million workers and their dependents. After repeated attempts to make social security benefits more adequate, private pension plans gained popularity and today cover some 23 million workers. When efforts to improve unemployment compensation failed year after year, private plans arose to supplement the public benefits.

Encouragement came from all sides. The Supreme Court ruled that pensions were a negotiable union-management issue; the Internal Revenue Service granted favorable tax treatment for certain fringes; the public, fearing inflation and believing fringe benefits to be less inflationary, applauded the "package" settlements; employers yielded. Thus, as time went on, the workers came to depend upon the fringe-benefit plans and to demand more.

For employers, the choice between wages and fringes is easy—and for the same reasons that had moved them to put forward such plans on their own volition. When an employer says that a bundle of fringe provisions (including their extra administrative expense, but adjusted, though perhaps conservatively, for mortality and turnover rates) will cost him 15c per hour, he is figuring their cost as if paid out in a wage increase. But paid out as fringe benefits, their actual cost is appreciably less than 15c per hour, because almost all fringes offer compensating savings. There is immediately the saving from the more favorable business tax treatment accorded certain fringes—for example, those paid through trust funds: pensions, health and welfare benefits, some vacation plans, supplementary unemployment benefits and the like. In addition, paid vacations, sick leave, and perhaps to some extent all fringes that free workers from worry about illness, accident, old age or unemployment, add to employees' productivity. These and other fringes also help the employer to attract more productive labor and to keep it, thus reducing the cost of turnover.

In another category of fringe benefits, the employer receives a specific and carefully negotiated *quid pro quo*. Call-in or reporting pay and various overtime premiums allow management to schedule work according to production demands and without adhering strictly to normal working hours. In return for granting an in-lieu-of-notice payment, the employer may keep his workers on a given job up to the last day he needs them, and thus avoid expensive short-term replacements. The employer negotiates on the amount of each of these payments with the estimated saving firmly in mind.

However, the greatest advantage to the employer of granting fringe benefits is that by assuming these social costs himself he may keep them out of legislation, where he would have control over neither cost nor benefit. Private fringe items are negotiable at each contract renewal date, and, as in the prewar decades, employers still find certain employee-benefit plans "not worth it" and seek to be rid of them. Thus, American Motors Corporation said recently that it wished to drop its profit-sharing plan, adopted in the 1961 negotiations. Finally, the money that the employer pays for private fringe benefits goes entirely to his own employees; each one knows the source of the funds that will keep him in his old age, that is paying for his and his family's illnesses. This point was covered by George K. Barrett, Manager of the Employee Relations Division of the Ohio Oil Company, at a management conference on fringe benefits held at the University of Michigan a few years ago:

> *I suggest the sixties must be management's decade so far as employee plans are concerned. The needs for improvement and better design of plans are obvious. We know our employees want protection against emergencies. . . . The cost of such emergencies has always been paid, in one way or another. The question for us is "How can the burden best be paid by our society?" I believe the best way is to have the cost appear as close as possible to the individual who benefits.*

In short, employers had good reason for leaving the door to fringe benefits slightly ajar, however loudly they may have complained about high fringe-benefit costs.

For his part, the worker's desire for fringe benefits is genuine, even though he may not have had an altogether free choice between private plans and social legislation, or between fringe benefits and further wage increases. The 103-day Chrysler strike for pensions was dramatic proof of labor's commitment on that issue.

Workers value fringes not just because it is obviously more advantageous to pool their social costs than to take more in wages and buy

their benefits individually. Presumably, they could realize this saving (at some income-tax loss) by taking the money in wages and negotiating wholly contributory pension, health and welfare, and other plans. But they do not.

They choose to give up an alternative wage increase, or even a vested right to the money in their benefit funds, in order to get protection against the major economic hazards of life *at their employer's expense*. They seek management's acknowledgment of an industry responsibility for certain social costs which heretofore have been considered their personal responsibility. They seek, in other words, the same industry obligation that social legislation, through taxes, imposes on industry to contribute to the cost of these social needs.

The obverse of the management obligation is the worker's "right" to the benefit, and it grows in the public mind with the prevalence of the benefit. In 1948, when provisions for paid vacations had been instituted by 90 per cent of industry, a board of arbitrators found a paid vacation to be a "right" that superseded even management's "right" to stay in business:

> *In present day labor relations the granting of a vacation period to workers is so widely accepted that no industry or company can claim to be exempt from the propriety of this practice. . . . The company claims that it is not financially able to grant vacations with pay. Today, however, common practice decrees, in general, that those who employ workers assume the general obligation of granting them vacations.*

Two decades of bargaining on fringe benefits as a right of the worker and a social obligation of the employer have transformed the employer-employee relationship. The employer once had only one obligation: to compensate the employee for his actual work. Now he must additionally assume responsibility for certain social costs of the employee and his family.

Fringe benefits are of three types. There are those that provide *time off*, without loss of income, for some social use: to recover from illness, to get an annual rest, to vote, to celebrate patriotic and religious holidays, to attend a family funeral, and so on.

A second type, the *penalty-premium*, is intended to discourage an employer from deviating from an established standard of work scheduling, length of work day or week, or a normal provision of vacation or holiday. Conversely, the payment is a premium to the worker who is forced to accommodate himself.

The third type provides *protection against certain economic hazards* such as accident or illness or unemployment due to old age, downswing of the business cycle or technological change. These fringes are the health and welfare funds, pensions, severance payments and the like. It is in this category that the Steelworkers seek protection through their insistence upon a "right to continuance of income" and "total job security."

But what of his lack of control over employee benefits that taught the worker his original distrust of them? It can be shown that some of these fringe benefits are illusory, or likely to be dropped altogether if the employer chooses. That is particularly so for the unorganized millions whose fringe benefits are provided voluntarily by the employer, but even contractual benefits can disappear. Although it would be difficult for an employer to drop a benefit that all workers and the public had come to consider an inherent right of employment—and some employers would always find certain fringe benefits worth their cost—the fact remains that fringe benefits are good only as long as the employment relationship, or the contract, lasts. If a plant closes, or technology displaces workers, or a depression arrives, the workers may have nothing left of their health and welfare plan, for instance, except the high cost of medical care. Many pension plans, especially those set up on a company basis, are proving—most noticeably when a company goes out of business—to be inadequately funded. [See "The Pension Mirage" by Merton C. Bernstein, *The Nation*, June 15, 1964.]

This lack of control, complained about in earlier decades, is today *the* problem and what the negotiation on fringes is all about. The question at the bargaining table is no longer whether to have fringes, but who is to control them in order to maximize the benefit—for company or employees. In this struggle the unions often argue that the fringe benefit is part of the worker's wages for his service, and that therefore his right to the benefit cannot be restricted as the employer would like. At other times, the employer finds advantage in arguing that fringe benefits are wages. Whether or not, or when, or which fringe payments should be viewed as wages are questions that particularly baffle arbitrators, courts and state and federal administrators because the many laws that define "wages" were all written before the fringe-benefit movement began: the Bankruptcy Act, the Social Security Act, the Fair Labor Standards Act, the Labor-Management Relations Act, state unemployment insurance laws, the Walsh Healey Public Contracts Act and others. Until there is more understanding of the nature of fringe benefits, and until an attempt is made to update the wages concept in existing laws, the worker will find that gaining full control over his social benefits is not easy.

What of the future of fringes, and what of the public interest? As long as the money holds out, there is no end to the number of social needs that the worker can seek to have met for him—and at higher and higher standards of benefit. Currently, the threat of technological displacement keeps union research departments busy devising private plans to meet this newest economic hazard. If medicare continues to be rejected by Congress, more unions may follow the can industry plan of extending their health and welfare plans to cover retirees. Continued Congressional indifference to education and housing would stimulate private proposals in these areas.

Is this entirely good? What about those beyond the fringe? While private plans are being devised to cushion the economic effects of downswings or technological unemployment, what of those who, due to either cause, never find jobs in the first place? For this growing segment of our population, the emphasis on fringe benefits may indeed be too great. Should social benefits depend, first, upon having employment and, second, upon an individual employer's ability to pay? The steelworker is not to be blamed for his desire for total security and career protection. But others have the same dream. The public needs to reconsider its interest in these dreams.

CLEAR newsletter

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A NEW COURSE ON "THE ROLE OF LABOR" TO BE OFFERED AT DENVER CENTER

A 3-credit course, entitled, "The Role of Labor in the 20th Century" will be given at the Denver Center during the second semester by Walter H. Uphoff, Professor of Economics and Director of Labor Education at the University of Colorado.

The course will examine the role of labor in society, with major emphasis on the United States but including a look at problems and trends in other parts of the world (both developed and underdeveloped countries. It will deal with problems of labor-management relations, labor's legislative and political interests, automation, employment problems, democratic procedures, ethical practices, etc. The course will be of interest to union leaders and members, teachers and university students. This offering is in line with the national trend in labor education to also offer longer and more advanced non-residential courses for union leaders.

The course, numbered Social Science 312 (#512 for teachers and others eligible to take it for graduate credit - with heavier assignments), is part of a growing number of offerings in the University's General Education program. It is now being offered for the second time on the Boulder campus and will be followed by a new course being developed by the School of Business, entitled, "The Role of Business and Management".

The class will meet Thursday evenings, from 8:05 to 10:15 P.M. starting February 4 and continuing until May 20. The course provides for reading assignments in a text by Gitlow entitled, "Labor and Industrial Society", as well as pamphlets and bulletins. Students will also choose one of 55 labor topics for a term paper.

While high school graduation is required for college credit, adults who have not completed high school can also take the course, but without receiving credit. The cost of the course is $39.00. Persons desiring to register for the course are urged to contact the Denver Center, 1100-14th St. for a bulletin. Phone 244-6081. Registration dates are January 25-27 from 10:00 to 1:00 and 4:00 to 7:30 P.M.

Prof. Herman Erickson of U. of Illinois Will Teach for CLEAR Second Semester

Herman Erickson, Professor of Labor and Industrial Relations at the University of Illinois will be a visiting lecturer for CU's CLEAR program from February 1 through May 31, 1965. Erickson has been at Illinois since 1947 and has had extensive experience in teaching labor education courses. He will be available to work with central labor bodies and local unions interested in sponsoring courses on steward training, collective bargaining, economics, etc. Organizations interested in scheduling courses are urged to contact CLEAR (see address on letterhead).

Erickson's coming for 4 months was made possible by foregoing an assistant for the Labor Education Program for the entire year and using some of the income from labor education short-courses conducted to date.

Before going to Illinois, Herman taught WPA Workers Education in Minnesota, was director of the St. Paul Labor College, taught high school at Colfax, Wisconsin and was field representative for the Georgia Workers Education Service. He has been abroad to study Workers Education in Sweden on a Fulbright fellowship (1954-55) and on sabbatical leave (1961-62).

1964

EV: This is what had come from Ohio State earlier.

jb.

ok. let's keep it together w/ the Christ. stuff for now.

Written for WERDEN (1964 Yearbook for DGB - German Federation of Labor)
by Walter H. Uphoff
Professor of Economics and
Director of Labor Education
University of Colorado *

PROBLEMS FACING AMERICAN UNIONS

While the American labor movement has made real progress since it achieved "full legal status" in 1935, its membership during the last ten years has not kept pace with the growth in the total labor force. Today unions and their members are concerned with such questions as: 1) job losses due to automation and technology; 2) the rate of economic growth in the nation; and 3) anti-union legislation. For example: Twenty of our 50 states (although only one with a substantial number of industrial workers) have enacted so-called "right-to-work laws" since 1946, which prevent a union and an employer from negotiating an agreement under which all workers belong to the union as a condition of employment.

Unions are also concerned about such matters as: 1) tax policies, 2) fair employment practices, (civil rights), 3) medical care for the aged and other welfare legislation, 4) adequate public support for education, and 4) the threat of "right-wing" extremism. Since between 9 and 10 percent of the nation's economy is involved in military and defense expenditures, many workers feel that if peace should "break out" there would be more unemployment, although it is recognized that military expenditures could be cut back without a loss in jobs if there is adequate planning and legislative support for non-military programs. This creates a situation where perhaps as many workers fear peace as fear communism. As long as the fear of loss of jobs, due to a cut in military expenditures, exists, it is unrealistic to expect much enthusiasm for disarmament negotiations from workers. It should be added that there is a growing number who do see a greater peril in continued reliance on weapons which they know must never be used if mankind is to survive. This writer believes that the biggest challenge to unions today is that of helping create the political and economic climate in which a step-by-step disarmament can be negotiated with the major powers, without the fear that this will give the Communists an advantage. At the same time, they must do the educational work essential to an enlightened public policy toward government's role in developing an economy of full employment.

Internal problems facing unions include matters of: 1) jurisdictional disputes; 2) racial discrimination (which the leadership of most unions are working to eradicate except in some parts of the South); 3) racketeering on the part of a few union leaders; and the bad public image this has given the entire labor movement; 4) membership participation rates; and 5) the need for a better informed membership.

Although, obviously America had unions long before 1935, it was not until the passage of the National Labor Relations Act of 1935 (Wagner Act) when workers were granted full rights to organize unions and it became illegal for an employer to discharge a worker for union activity. Between 1935 and 1939 the union membership increased from about 4 million to over 9 million. This rapid growth was no doubt due in part to the rivalry that resulted from the division in the AFL and the formation of the CIO in the fall of 1935, but it could not have taken place without the Wagner Act. Industrial workers in auto, steel, rubber, etc. now had the support of law and the encouragement of CIO organizers to form new unions in industries which until that time were largely unorganized.

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* In 1958-59 Prof. Uphoff had a Fulbright Research Grant at the University of Cologne and conducted a research study on the opinions of German union members. From 1951 to June, 1963 he was Head of Labor Education at the University of Minnesota.

During World War II, it was government policy to encourage union organization in return for labor's support of the war. Companies had to have at least a "maintenance of membership" clause in their union agreements in order to be eligible for government contracts to produce planes, munitions and supplies to carry on the war. By the end of World War II, the total union membership was about 15 million. Now, 18 years later, the total U. S. union membership is barely 17 million. In 1946 the United Mine Workers Union conducted a strike which threatened to exhaust the coal supplies of many homes and cities unless it was settled. This created an "anti-labor" climate which helped elect a number of Congressmen who were pledged to cut back on the "powers" of unions. In 1947 Congress passed the Taft-Hartley Act, which drastically amended the Wagner Act of 1935 and slowed down the rate of union growth.

Jurisdictional disputes and raiding of membership by both AFL-and CIO unions also consumed much energy that could otherwise have gone toward organizing the unorganized. In 1953 the country elected a Republican president and the climate for union organization became even less favorable. A committee headed by Al Hayes, the President of the Machinists Union, made a study of the net effect of AFL-CIO membership "raiding" and found that in a two-year period prior to the merger in December 1955, about 44,000 union members had changed allegiance from the CIO to the AFL but that 40,000 had gone from the AFL to the CIO and over 4,000 had discontinued their union membership -- and at an organizing cost of nearly 12 million dollars. Both labor federations realized that it was costly and unproductive to remain divided and that in an unfriendly political climate a united effort was imperative.

While many of the early American unions were idealistic and often politically inspired, many of our unions in recent years have become "business" or "bread and butter" unions. A few of their leaders copied some of the practices which are common in the business community and became involved in charges of "racketeering". The president of one large union actually was sent to jail for misuse of union funds. The largest union in the AFL-CIO after the merger, the Teamsters' Union, was expelled because its leaders did not meet the standards of the ethical practice code adopted by the AFL-CIO. This reduced the AFL-CIO membership from approximately 15 million to 13.5 million. The total union membership in the United States is almost 17 million today. There are about 135 national unions within the federation and nearly 50 outside. The AFL-CIO is a member of the ICFTU (IBGF) and is giving increased support and attention to labor developments in other parts of the world. In commenting on a recently produced AFL-CIO film, "In Common Brotherhood", president George Meany said, "At the present time, our country is spending about 5 percent of its budget on foreign aid, and much of it is recovered through the purchase of goods and services in the United States. The AFL-CIO is spending nearly 25 percent of its income on the programs we have just seen (in the film), without the hope, the expectation or the desire of collecting a single cent in return."

While the individual unions concentrate on achieving job security and a better standard of living for their members through collective bargaining, the labor federations at the state and national levels concentrate on political and legislative action which they believe to be good for their members, their communities and their country. Thus they concern themselves with the "tax cut" proposed by the Democratic administration as a means to stimulate the economy and employment; they generally favor progressive income taxes rather than sales taxes; they support federal aid to education because they know that all children will have greater educational opportunities if education is adequately financed; they favor medical care for the aged (financed through our social security system), and they recognize the need for eliminating racial discrimination in jobs, in housing, voting, etc.

The assassination of President Kennedy caused many more Americans to become concerned about the "hate campaigns" that up until then were not generally taken seriously, just as Hitler was not always taken seriously during the 20's. While we have extremists

from both the left and right, at this time the "right wing" has much more financial support and many more followers. Unions have recently begun "counter attacks" on extremist groups that call income taxes "a creation of Karl Marx", that imply unions are "communistic", that demand the impeachment of Supreme Court Chief Justice Earl Warren, etc.

Although American unions do not rely as heavily on the law and political action to accomplish their goals as German unions do, they realize that they have both an economic and a political function to perform. The former is usually performed by the individual unions and political action is a matter of united action through the labor federations at the local, state and national level. The great majority of union leaders and a substantial majority of the members, support the Democratic party and consider the Republican party to be the party which represents the interests of employers, doctors, etc.

Unemployment and inadequate economic growth are perhaps the most important domestic concern of American unions. For a number of years unemployment has hovered at about 5½ percent of the labor force, but with increasing automation and population growth, this percentage is likely to increase. It is estimated that an average of at least 2 million workers per year will be displaced by automation during the 1960's and that an average of another 1,350,000 workers per year will join the labor force as a result of population growth over and above the number who die or retire. This calls for imaginative and thoroughgoing programs if the number of unemployed is to be kept down. Other factors affecting the number and kinds of available jobs are the relationship between imports and exports, shifts from one product to another (such as glass to aluminum), and the effect of profit levels on consumer buying power.

While only 4 to 5 percent of the American economy is involved in imports and exports, and we generally export more than we import, workers in industries adversely affected by imports are still prone to urge policies which they think will protect their jobs. Many iron ore miners in Northern Minnesota believe that stopping the imports of ore from Venezuela and Canada would protect their jobs. Perhaps they are right, but there is no evidence that it would help the economy in general. What is needed, and what is beginning to take form, is legislation and a public policy for area re-development, manpower retraining, and re-location. Three acts have been passed by Congress in the last five years to help the economy and to eliminate unemployment in areas which have substantial unemployment rates, such as the iron ore region of Minnesota and the coal mining regions of Pennsylvania and West Virginia.

Automation has been largely responsible for a substantial drop in membership of the United Auto Workers Union, the Steelworkers Union, and many others. One of the changes that has taken place in the composition of the labor force is a drop in the number in agriculture and in industrial production, and an increase in sales, services, and government employment. American unions have not fully determined what goals and programs will attract the growing proportion of "white collar" workers into unions, yet they feel a need to adapt their programs to keep up with the changing complexion of the labor force.

Some employers have reconciled themselves to the fact that unions have certain rights under the law and are here to stay; others have continued their campaigns to restrict union activity. While it appears that the "right-to-work" drives in various states have lost momentum, union leaders believe they must be on the alert against their spreading to other states. At the federal level, it is not anticipated that further restrictive labor legislation will be enacted in the foreseeable future -- that is, as long as the Congress has a Democratic majority.

A number of national union leaders, such as Walter P. Reuther, James Carey, Arnold Zander, O. A. Knight, and Patrick Gorman, have spoken out vigorously against the reliance, primarily, on nuclear weapons to keep the peace, but most union leaders and members have not taken a forthright stand against nuclear war because they accept

the traditional view that military strength prevents war, and also because they fear increased unemployment and loss of union membership if there should be a reduction in armament expenditures.

Before the Third Reich, Germany had over a hundred national unions; today it has 16 in the DGB and several outside the federation. The United States still has over 180 national unions, many of which are small, but which do represent workers in part of an industry. Consequently, there are many instances of overlapping jurisdiction. Instead of one Gewerkschaft Post, there are about a dozen postal unions. Instead of one GED, there are five "operating" railroad unions and 15 "non-operating" railroad unions. Instead of IG Metall, there are unions for auto workers, steelworkers, sheetmetal workers, boilermakers, electricians, plumbers, jewelry workers, etc. There are more than half a dozen printers' unions and textile unions instead of one Druck u. Papier and one Textil u. Bekleidung. In some instances unions in the same industry have merged in recent years, but in other cases they have retreated from the "marriage altar" because they could not agree on terms.

Discrimination against racial, religious and other minorities is not limited to any one country. Nevertheless, the United States, in the last few years, has had considerable strife stemming largely from the "awakening" and desire for equal rights on the part of the Negro population. Negroes make up about ten percent of the total population. They realize they have not been given their fair share of educational and job opportunities, decent housing, and the right to vote in the South. It is unrealistic to expect that the rank-and-file membership of unions should hold attitudes on race relations, or any other subject, which are much different from the rest of their communities. The Southern states have never accepted the spirit of the Constitutional amendments which were adopted after the Civil War (1861-1865) to give Negroes equal rights. Yet, insofar as leaders of most American unions are concerned, they have been in the forefront of the civil rights campaigns of recent years.

It must be remembered that there is no way to avoid discrimination when there are not enough jobs to go around. If a Negro gets a job, some white person will be unemployed. If a woman is hired, a man may be replaced. If a handicapped worker is employed, a man without a handicap may be jobless. Yet Union leaders recognize the waste and injustice of under-utilization of the skills of minority groups and are making a vigorous effort to minimize discrimination in jobs, housing, voting, use of public facilities, etc. In 1961, 5.7 percent of the white males in the civilian labor force were unemployed, while unemployment among non-white males was 12.9 percent. In 1962 professional and technical male workers made up 12.37 percent of employed persons, while non-whites had only 4.4 percent in this category.

Racketeering plays a very small part in the labor movement in the United States, but the few instances where it has occurred have been exploited by business and political leaders who would like to see unions with less strength and have created a situation which makes it more difficult to recruit new union members.

Unions are also plagued by lack of vigorous membership participation; in unions as in many other institutions and organizations in our society, most members do not take an active part. Attendance at union meetings usually runs between 2 and 10 percent, which means that many members merely have membership cards and know little about the organization to which they belong. Research studies on union member attitudes indicate, however, that a great majority do have favorable opinions toward their union. With low participation, it is difficult for unions to have common understanding and clearly defined goals, and one of the major concerns of leaders must then be how to get enough information to the membership so that there will be support for sound programs at the collective bargaining table, in Congress and the state legislatures, and during political campaigns.

A recent study by the education department of one national union showed that out of 100 local union officers and staff representatives, 82 favored a national health insurance program, 61 were for economic planning and 78 believed in the integration of the schools. The results were not so encouraging when the test of tolerance for points of view other than their own, was applied. Forty-one said Senator Goldwater (conservative Republican) should not be allowed to speak to union meetings; 61 said Communists should not be allowed to speak at public meetings; 48 said Socialists should not be allowed to teach social sciences in the schools; and 36 said Republicans should not be allowed to teach social sciences. It can be assumed that most of those who answered the questionnaire wanted their children exposed only to those who had a political and economic philosophy similar to their own.

The attitude of union workers in America toward Co-determination as practiced in Germany shows that the idea of workers being consulted on pricing and investment policies of the firm which employs them, is foreign to most of them. A research study of American unions, which was compared with a Fulbright research study conducted by the writer at the University of Cologne in 1959, showed American trade union members to be much more concerned about immediate goals of better wages and working conditions, seniority rights and job security. Generally, they did not want to be involved in the broader issues which have been historically considered the "prerogatives of management" in this country. All in all, much more remains to be explored and written concerning the similarities and differences of the American and German union movements.

LABOR EDUCATION CENTER
Continuing Education Services
The University of Connecticut

ANNUAL REPORT: JULY 1, 1964 - JUNE 30, 1965

1965 Wisconsin State AFL-CIO Summer Institute

on the campus of the University at Madison

June 27 – July 2

The School for Workers, University Extension Division, University of Wisconsin and the Wisconsin State AFL-CIO join in announcing this year's general institute to be held on the campus of the University at Madison. The institute is designed to provide union members and officers with intensive training in subjects related to the union's functions in the shop, on the job, in the community and in the world. Individual union members, shop stewards, committee men and women, and union officers are invited to attend. Many local unions and central labor bodies select and sponsor delegates to the institute.

The Institute begins with registration on Sunday afternoon, June 27, followed by a buffet supper and orientation meeting. The Institute concludes with a lunch and graduation on Friday noon, July 2.

Class Work

Participants will attend classes from 8:30 to 3:30 with breaks for coffee and lunch. In the morning, you will choose two from among the following classes:

- Contract Negotiations — the law of collective bargaining; the elements of the bargain; preparing for negotiations; building membership support; techniques of bargaining.
- Union Administration — increasing membership participation in all phases of the union's program; improving union meetings; developing effective committees; techniques for reaching the membership.
- Grievance Handling and Steward Training — the duties of the steward; recognizing grievances; investigating, preparing and presenting the case; writing grievances; the steward's larger role in the union.
- Job Evaluation — definitions and assumptions of job evaluation; the various systems; union attitudes; contract language and grievances under job evaluation.

In the afternoon, the choice will be one from among:

- Community Services — the role of the union in community affairs; learning about community agencies and their impact on the union member; developing a community services program in the local.
- "The Great Society," Problems and Prospects —analysis of the economic and social program of the current national administration.
- Time Study and Wage Incentives — definitions and assumptions of work measurement; steps in the establishment of a work standard; union attitudes; contract language and grievance handling.

SPECIAL EVENTS

In addition to the orientation supper and meeting on Sunday night and the Friday graduation lunch, two special evening programs will be offered as a regular part of the Institute schedule. These will bring speakers before the group to emphasize subjects which touch workers' lives as union members and citizens beyond the union's day-to-day operations. The Wednesday afternoon picnic is an Institute tradition.

INSTITUTE HEADQUARTERS . . . is located in Sullivan Hall in the northwest corner of the campus in Madison. It is here that you will report for final registration, live and take your meals.

THE INSTITUTE FEE . . . is $63.00. This covers room, meals, incidentals and tuition beginning with supper and lodging Sunday night through Friday lunch.

THE FACULTY . . . includes the regular staff of the School for Workers together with outstanding representatives from labor and the university. Staff members are available for counseling with individuals and groups on particular problems not covered in the regular classroom work.

RECREATIONAL OPPORTUNITIES . . . exist during free time in the late afternoons. Swimming, softball, volleyball, badminton, fishing, croquet and horseshoes can provide a break in the routine. Boat rides and sightseeing trips are arranged by the School's recreation director.

AFL-CIO Staff Institute on the Economics of Collective Bargaining

Full-time union officials and staff members are invited to take part in this institute which will be held in Madison from Sunday afternoon, August 1, through Friday, August 6. The School for Workers and the AFL-CIO Department of Research are the joint sponsors. Interested full-time union staff representatives may write for a descriptive leaflet to the School for Workers, University of Wisconsin Extension Division, 432 North Lake Street, Madison 6, Wisconsin.

An Institute on

The Economics of Collective Bargaining

- for full-time union representatives and staff members
- August 1-6, 1965
- on the campus of the University at Madison, Wisconsin

Sponsored by

The School for Workers,
University Extension,
University of Wisconsin,
and
The AFL-CIO
Department of Research

Governor's Employment Conference

What actions can be taken to guarantee full utilization of California's manpower and productive resources?

This question was considered by top-ranking representatives of management, labor, government, and the academic community at the Governor's Conference on Employment, held September 30 to October 3 at Monterey.

Arranged by the Institute at the special request of Governor Edmund G. Brown, the four-day conference was designed to allow complete discussion of all aspects of the state's employment problems.

See pages 3 and 4 for the conclusions and recommendations of the Conference.

The 75 participants received extensive background material for advance study. At the conference, chaired by Institute Director Lloyd Ulman, they engaged in three days of round-table discussions and then met in plenary session the fourth day to issue a report.

An opening message from Governor Brown was delivered by State Finance Director Hale Champion. The Governor later attended several sessions of the conference and spoke briefly at a banquet on October 2, as did University President Clark Kerr.

(Continued on page 6)

UNIVERSITY OF CALIFORNIA, BERKELEY

INSTITUTE OF INDUSTRIAL RELATIONS

BULLETIN

Vol. 8, No. 2 December 1965

Seminar Continues On Philosophy Of Management

The first Philosophy of Management seminar of the 1966 series is scheduled to take place next month.

Sponsored by the Institute and under the general direction of Professor Mason Haire, the seminars were started last year following the success of a Chancellor's dinner to which top-level Bay Area business leaders were invited to meet and talk with Dr. A. T. M. Wilson of Unilever, Ltd., who was then lecturing on the Berkeley campus.

Rather than being oriented to the mechanics of management techniques, the seminars concentrate on such central subjects as management's perceptions of its own nature and the social and economic functions which management can and should perform, as well as those which it perhaps should not attempt to perform.

The theme of the 1964–1965 series, the ideology of the firm and the society in which it is imbedded, included seminars on the constraints on freedom in a free economy, the ideal of individualism in business, the nature of the relationships between government and business, and the nature of the changing business ideology.

Background reading by the participants included *The Business Establishment*, edited by Earl F. Cheit; *Capitalism and Freedom* by Milton Friedman; *The Human Side of Enterprise* by Douglas McGregor; and *Economic Development in Perspective* by John Kenneth Galbraith.

William E. Rentfro Joins Institute As Coordinator of Labor Programs

Center Appoints Research Specialist

Sara Behman has joined the Institute's Community Services staff and will assume responsibility for directing research projects of the Labor Center.

Behman

A specialist in wage theory and labor market problems, Mrs. Behman holds a B.A. in Economics and an M.A. in Government Administration from the University of Pennsylvania. She expects to receive her Ph.D. in Economics from the University of California within a few months. Her dissertation is on "Wage Determination in a Cyclical Setting."

Mrs. Behman worked for 10 years as a labor market analyst for the California Department of Employment. She also served as a tax analyst for the California Senate Interim Committee on State and Local Taxation in 1949, and coauthored a report: *Aggregate Property Tax Rates and Their Implications With Respect to Business Location and Development.*

Mrs. Behman is also author of a paper published in the *Review of Economic Studies* (October, 1964) on "Labor Mobility, Increasing Labor Demand, and Money Wage-Rate Increases in United States Manufacturing."

William E. Rentfro, General Counsel for the Oil, Chemical, and Atomic Workers International Union, AFL-CIO, since 1955, has joined the staff of the Center for Labor Research and Education as Coordinator of Labor Programs.

He will fill the position left vacant by Herbert A. Perry, who is now on the faculty of Sacramento State College.

Rentfro received his law degree from the University of Colorado in 1948. He left private practice in 1951 to become Associate General Counsel and International Representative for the former CIO Oil Workers International Union.

Rentfro

Rentfro will specialize in developing and teaching courses in problems of collective bargaining, arbitration, and labor law and will conduct related research.

In announcing the appointment, Don Vial, Chairman of the Labor Center, noted that Rentfro has been responsible for directing the legal activities of the Oil Workers during the past 10 years. He has been involved in the full spectrum of union activities: collective bargaining, arbitration, strikes, and automation problems. He has handled litigation before state and federal courts and before the U.S. Supreme Court.

"Rentfro's knowledge and experience," Vial said, "will add great depth to the Center's activities."

CORNELL UNIVERSITY PRESENTS
A ONE-DAY CONFERENCE
IN NEW YORK CITY

Collective Bargaining for Retirement Benefits: New Needs, New Prospects

Hotel Roosevelt, New York City
Tuesday, February 1, 1966

Conducted by:
THE NEW YORK STATE SCHOOL OF INDUSTRIAL AND LABOR RELATIONS
A CONTRACT COLLEGE OF THE STATE UNIVERSITY

CORNELL
Conference

Conducted by:

NEW YORK STATE SCHOOL OF
INDUSTRIAL & LABOR RELATIONS
A CONTRACT COLLEGE OF THE STATE UNIVERSITY

Current Issues in Labor Arbitration

DATE: Sunday evening, May 23
Monday, May 24

PLACE: Hotel Syracuse
Syracuse, New York

1966 AFL-CIO

Union Industrial Engineering Institutes

for full-time union representatives

and staff members

three two-week institutes

July 18 through July 29, 1966

on the campus of The University of Wisconsin at Madison

- **ESTABLISHING WORK STANDARDS**
  — time study, standard data, predetermined motion time systems, work sampling and wage incentives
- **JOB EVALUATION AND RELATED PROBLEMS**
- **SYNTHETIC STANDARDS SYSTEMS**

sponsored by The University of Wisconsin, University Extension Division, School for Workers and the AFL-CIO Department of Research

In virtually all countries, there continued a gradual exodus from the agricultural to urban areas. Few cities, however, were able to provide adequate jobs, and the resulting urban poverty poses a serious problem for all countries.

International Organizations. In 1965, two major developments, both brought on by actions of the AFL-CIO, rocked the international labor movement. In March, at the AFL-CIO Executive Council meeting, President George Meany criticized the International Confederation of Free Trade Unions (ICFTU) as being ineffective in combatting communism and "not effective in the developing countries." He threatened to reclaim over $1 million contributed by the AFL-CIO to the ICFTU Solidarity Fund for organizing and educating workers in the underdeveloped countries. Meany's annoyance stemmed from the fact that $4 million of the Fund has been invested in European banks rather than used in the field. ICFTU General Secretary Omer Becu pointed out that the present political situation in many developing countries made it impossible to carry out ICFTU programs in cooperation with national trade unions.

At the end of May, the AFL-CIO dropped its charge, but called for more attention to the developing countries. A second crisis developed in April when President Meany threatened to withdraw the AFL-CIO from participation in the International Labor Organization (ILO). Meany charged that the communist bloc countries were trying to turn the ILO into a "political propaganda group."

The issue was election of country representatives to the ten ILO industry committees, each concerning itself with a major occupational grouping. Of the 64 countries which announced their candidacy for positions on these committees, only eight, all communist countries, received no committee posts. In all, only three communist countries were elected. As a result of vehement protests by the communist bloc, ten new seats were created, seven of which were filled by communist countries. This action, charged Meany, altered the results of a free election. He dropped the threat of AFL-CIO withdrawal from the ILO on May 5, after consultation with top U.S. government officials who assured him that the AFL-CIO would be consulted on such matters before government policy was made on such questions in the future.

Africa. On the African continent, problems of unemployment and underemployment continued. Education, particularly vocational training, was emphasized to raise productivity of African workers and prepare them for new jobs. One particularly interesting approach was the founding of "national youth services," similar to the "Job Corps" of the U.S. anti-poverty program, designed to take unemployed youth off the streets and impart to them elementary skills. A beginning was made in social security insurance to aid the worker in his transition from a traditional tribal community to an urban, industrial labor force.

Trade union autonomy and collective bargaining remained controversial subjects, as the tradition of nonpartisan, independent trade unions bargaining freely with employers, came under increasing pressure in the drive for rapid economic development. President Jomo Kenyatta of Kenya banned all public meetings and demonstrations on behalf of trade unions competing with each other for members.

There has been an increasing trend toward compulsory arbitration in Africa on the grounds that it protects the public interest. Compulsory arbitration also allows the state to play an increasing role in economic planning by determining how the increased product of economic growth shall be divided among wages, profit, and capital investment.

Public works are being promoted in most African countries to provide employment and build up social overhead for economic expansion. Trade unions played an important role during 1965 in opposing undemocratic regimes in Sudan and Morocco. The military dictatorship of Ibrahim Abboud in Sudan was ousted by strikes and demonstrations, in which workers from the capitol city of Khartoum played a leading role. In Morocco, the Moroccan Federation of Labor (UMT) staged a sympathy strike throughout the country in support of the demands of high school students that the government rescind a cutback in the education budget. The pressure exerted by this strike, in which 25 were killed by government police, forced the regime of King Hassan to include participation of more popular elements in his government.

The continuing problem of minority racial rule in southern Africa was underscored by an ILO resolution June 23, condemning Portugal's use of forced labor in its African colonies, Angola and Mozambique. In South Africa, the shortage of white skilled labor had become so acute that employers were permitted to hire African workers experimentally for skilled and semi-skilled jobs previously "reserved" by law for white workers. Africans have performed the work satisfactorily, but pressure from white workers and their unions forced the government to curb such "experimentation" in the mines.

Asia. The need for jobs and purchasing power continued to be Asia's most basic labor problem. The Indonesian-Malaysian dispute had ramifications for the trade unions of both countries during 1965. In January the Federation of Moslem Trade Unions in Indonesia left the ICFTU over the latter's resolution on the dispute, alleging a lack of understanding for the Indonesian position. In May the Malaysian government banned strikes in essential services. Japan continued to enjoy the prosperous living standards and the highest rate of economic growth in Asia. Labor contracts moved in the direction of a 40-hour five-day week. During the first part of the year, Japanese trade unions pressured the Japanese Diet for ratification of ILO Convention 87 which guarantees the right of workers to organize trade unions of their own choice. The Diet confirmed the Convention on May 17.

An example of the efforts to develop social security for Asian workers was the new law which went into effect in Iraq on Oct. 10, 1964, covering sickness, pensions, and employment injuries. The law was drafted with the assistance of the ILO and UN technical assistance personnel.

Europe. The most pressing labor problem in Europe is a growing labor shortage, while developing countries suffer greatly from unemployment and underemployment. The six member nations of the European Common Market estimated at the beginning of 1965 that there were 800,000 jobs open for which employees could not be found. This shortage continued despite the most extensive migration in European history. Over the past five years, over 5 million workers have moved into higher paying jobs in central Europe, Britain, and Scandinavia. These countries have exhausted their labor reserves, so that now only foreign labor can satisfy the demand. Italy alone has 2.5 million citizens working in other parts of Europe. France has many foreign workers from North Africa and Britain has many from the Commonwealth countries. Germany and Switzerland are both approaching foreign work forces of one million. In Switzerland this constitutes about 30 percent of the entire labor force. Switzerland has begun to compel employers to reduce the number of foreign employees, fearing that the country's culture and traditions will be changed by the influx of workers from abroad. Luxemburg, faced with a declining population, now has about 45 percent foreign workers.

In Great Britain, the Labour Party government undertook measures to slow wage and price increases, to correct a serious imbalance of payments.

In France, President deGaulle aimed at a similar policy of wage and price restraint.

Latin America. The Sixth Continental Congress of the ICFTU affiliate, ORIT, was held in Mexico City in February. It pointed to unemployment as the main problem for Latin American Labor which it related to the rapid increase in population and the low level of industrialization. Because half of the labor force is in agriculture, and modern techniques are used mainly in the export sector, great investment, estimated at $8 billion by 1975, will be needed to provide employment opportunities in the industrial sector. ORIT is the largest of the international federations with 29 organizations in 22 countries of Latin America. The World Federation of Trade Unions (WFTU) through its new arm, CUTAL (Central Unica de Trabajadores de American Latina) and the International Federation of Christian Trade Unions (CLASC) represent a much smaller proportion of organized workers.

Walter H. Uphoff, Ph.M.
Professor of Economics and Director, Labor Education
University of Colorado

[1966]

BUILDING THE LOCAL LODGE

Lodge 2040, American Federation of Government Employees, is sponsoring an 8-week class in "Building the Local Lodge." It will be held in cooperation with the Center for Labor Education and Research, University of Colorado.

The Program

The 8-week program has been jointly planned to be of special interest to all members of the organization. It includes sessions on:

1. The American Labor Movement Today
2. Organizing Workers in Federal Employment
3. Duties of Officers
4. How to Make Committees Work
5. The Job of the Steward
6. What is a Grievance
7. The Grievance Procedures
8. Handling Grievances

Plenty of opportunity will be given the students to discuss mutual problems and questions in these areas. Each student will be provided a notebook outlining the subject matter.

The instructor will be: Bob Repas, Associate Professor, Department of Economics, University of Colorado.

Those students attending at least six of eight sessions will be awarded a certificate by the University.

The Dates - and Time

The course will begin on Wednesday, April 13 and continue for eight consecutive Wednesdays ending on June 1.

Each class will run for two hours, starting at 7:30 p.m. and ending at 9:30 p.m.

The Place

The class will be held in Room 6 (second floor) of the Job Opportunity Center, 1360 N. Speer Boulevard. The building is located at the corner of 14th Avenue and N. Speer Boulevard. Free parking is available in the parking lot on the north side of the building.

*Please fill in the tear sheet below and return to: Eula Taylor, President, Lodge 2040, AFGE, AFL-CIO, 2716 Vine Street, Denver, Colorado 80205.

I will attend the course on "Building the Local Lodge" which starts Wednesday, April 13, 1966.

Name_____ Phone_____

Address_____ City_____

*On or before April 6.

Officer and Steward Training Class

Local 724, United Rubber Workers is sponsoring a 6-week class in "Officer and Steward Training". It will be held in cooperation with the Center for Labor Education and Research (CLEAR) University of Colorado.

The Program:

The 6-week program has been jointly planned to be of special interest to all officers and stewards of Local 724. It includes sessions on:

1. The American Labor Movement
2. The Job of the Steward
3. What is a Grievance
4. The Grievance Procedure
5. Writing Grievances
6. Arguing Grievances

Plenty of opportunity will be given the students to discuss mutual problems and questions in these areas. Each student will be provided a workbook outlining the subject matter.

The instructor will be : Bob Repas, Associate Professor, Department of Economics, University of Colorado.

Those students attending at least four of six sessions will be awarded a certificate by the University.

The Dates and Time:

The course will begin on Thursday April 21 and continue for six consecutive Thursdays, ending on May, 26.

The course will be offered on a two shift basis: 12:30pm - 2:30pm and 3:45pm - 5:45pm.

Each class will run for two hours and will start on time and end on time.

The Place:

The class will be held in the Local 724 Union Hall, 1105 S. Lincoln St., Denver, Colorado.

Please fill in the tear sheet below and return to: Charles Griffin, President, Local 724 URW, 1105 S. Lincoln St., Denver. Please do so immediately so we know for how many students to plan.

****

I will attend the course on "Officer and Steward Training" which starts Thursday, April 21.

Check one:

____ 12:30pm - 2:30pm (Second and third shift employees)
____ 3:45pm - 5:45 pm (First shift employees)

Name_____ Phone_____

Address_____ City_____

LEFT, RIGHT, and CENTER in AMERICAN POLITICS - CLASS

The Northern Colorado Central Labor Council, AFL-CIO is sponsoring a 6-week class on "Left, Right and Center in American Politics." It will be held in cooperation with the Center for Labor Education and Research (CLEAR) of the University of Colorado.

The Program:

The 6-week program has been jointly planned to be of interest to members of all AFL-CIO union in the area. It is designed to examine the role of right and left wing extremists in American political life. It includes sessions on:

1. What is a Right Wing Extremist
   (Film Showing: "The Extremist"
2. What is a Left Wing Extremist
3. Similarities and Differences between Right and Left Wing Extremists
4. What is a Liberal, a Socialist, a Communist?
5. The Attack on the Supreme Court
   (Film Showing: "Storm Over the Supreme Court"
6. Right Wing Extremists in Action
   (Film Showing: "Case History of a Rumor"

Plenty of opportunity will be available for questions and discussion. A work book outlining the subject matter will be distributed to each student.

The instructor will be: Bob Repas, Visiting Associate Professor, Department of Economics, University of Colorado.

Students attending at least four of six sessions will be awarded a certificate by the University.

The Dates:

The course will begin Monday, February 14, 1966 and run for six consecutive Monday's ending on March 21.

The Time:

Each session will begin at 7:30 p.m. and end at 9:30 p.m. A ten minute break will be taken midway through the evening.

The Place:

The first three classes on February 14, 21 and 28 will be held in the Student Center, Colorado State University, Fort Collins. The last three classes will be held at Colorado State College, Greeley.

The Cost:

The cost for the six sessions will be $7.50 per student. However, if the student attends at least four sessions and is a member of a local union affiliated with the Colorado Labor Council, the state body will refund $3.00 to whomever paid the registration fee, whether it be the student or his local union.

NEGOTIATING AND ENFORCING THE AGREEMENT UNDER EXECUTIVE ORDER 10988

The Center for Labor Education and Research (CLEAR) of the University of Colorado is sponsoring an 8-week class in "Negotiating and Enforcing the Agreement Under Executive Order 10988." It will be conducted for the members of all AFGE lodges in the Denver-Boulder area.

The Program:

The 8-week program has been jointly planned to be of special interest to officers and stewards. It includes sessions on:

1. History and Structure of the American Labor Movement.
2. Why the Executive Order was Issued and What's in It.
3. The Scope of Collective Bargaining
4. Analyzing Contract Clauses.
5. Techniques of Collective Bargaining
6. The Job of the Steward
7. What is a Grievance?
8. Grievance Procedures in Federal Employment

Plenty of opportunity will be given the students to discuss mutual problems and questions in these areas. A workbook outlining the subject matter will be provided each student.

The instructory will be Bob Repas, Visiting Assoc. Prof., Dept. of Economics, University of Colorado

Students attending at least six of eight sessions will be awarded a certificate by the University

The Dates:

The course will begin Wednesday, January 19, 1966 and run for eight consecutive Wednesday's ending on March 9.

The Time:

Each session will begin at 7:30 p.m. and end at 9:30 p.m. A ten minute break will be taken mid-way through the evening.

The Place:

All sessions will be held in the Mile High United Fund Building, 1375 Delaware, Denver.

The Cost:

The course will cost $8.00 per student, payable either by the individual or his lodge.

Effective Speaking-Parliamentary Procedure Class

Local 2102, United Steelworkers is sponsoring an 8-week class in "Effective Speaking-Parliamentary Procedure." It will be held in cooperation with the Center for Labor Education and Research (CLEAR) of the University of Colorado.

The Program:

The 8-week program has been jointly planned to be of special interest to all officers and committeemen. Registration will be limited to the first 25 people that sign up in the union office. The course will include sessions on:

1. Gaining Confidence
2. Preparing the Speech
3. Speaking in Groups
4. Speaking to Groups
5. Making a Committee Report
6. How to Make an Introduction
7. Making a Motion
8. Debating the Motion

The emphasis will be on learning by doing. Each student will speak briefly at least once at each class.

The instructors will be: Walter H. Uphoff, Director, Labor Education, CLEAR
University of Colorado
Homer Bisel, Former Debate Coach,
Pueblo Public School System

Students attending at least six of eight sessions will be awarded a certificate by the University.

The Dates:

The course will begin on Thursday, January 6 and run for eight consecutive Thursday's ending on February 24.

The Time:

Each session will begin at 7:00 p.m. and end at 9:00 p.m. A ten minute break will be taken midway through the evening.

The Place:

All sessions will be held in the Local 2102 Hall, 1414 E. Evans St., Pueblo.

Enrollment is limited to 25. Therefore, fill out the tear sheet below immediately and turn it in to: Chris Valdez, President, Local 2102, USA, 1414 E. Evans St., Pueblo, Colorado.

I will attend the "Effective Speaking-Parliamentary Procedure" class which begins Thursday, January 6, 1966.

Name_____ Phone_____

Address_____ City_____

PARLIAMENTARY RULES AT A GLANCE **

MOTIONS	PURPOSE	VOTE REQUIRED	Requires a second	Debatable	Amendable	May interrupt speaker
PRIVILEGED MOTIONS	(arranged from bottom to top in order of precedence)					
Adjourn to specific time	to set time of next meeting	Majority	yes	no	yes	*
Adjourn	to end meeting	Majority	yes	no	no	no
Recess	to dismiss meeting for specific length of time	Majority	yes	no	yes	no
Question of privilege	to make request during debate		no	no	no	no
Special order of business	to force consideration at a specified time	2/3	yes	yes	yes	no
Calls for orders of the day	to force consideration of a postponed motion	none; 2/3 to postpone				
INCIDENTAL MOTIONS	(no order of preference)					
Appeal decision of chair	to reverse decision of chair	Majority	yes	no	no	yes
Point of order	to correct parliamentary error	Decision	no	no	no	yes
Call for division of house	to get accurate vote		no	no	no	yes
Object to consideration	to suppress consideration	2/3	no	no	no	yes
To suspend the rules	to take action contrary to standing rules	2/3	yes	no	no	no
SUBSIDIARY MOTIONS	(arranged from bottom to top in order of precedence)					
Lay on table	to defer action	Majority	yes	no	no	no
Previous question (stop debate)	to force into immediate vote	2/3	yes	no	no	no
Limit or extend limits of debate	to modify freedom of debate	2/3	yes	no	yes	no
Postpone to a definite time	to defer action	Majority	yes	yes	yes	no
Refer to committee	to get information or recommendation	Majority	yes	yes	yes	no
To amend an amendment	to modify amendment	Majority	yes	yes	no	no
To amend	to modify a motion	Majority	yes	yes	yes	no
Postpone indefinitely	to kill	Majority	yes	yes	no	no
MAIN MOTION						
Main Unclassified Motions						
Take from table	Consider a second time	Majority	yes	no	no	no
Reconsider	Consider a second time	Majority	yes	*	no	yes
Rescind	Consider a second time	2/3	yes	yes	yes	no

* Undebatable when the motion to be amended, reconsidered or rescinded is undebatable.

** Based on Robert's Rule of Order.

Arranged by Walter H. Uphoff
Center for Labor Education and Research (CLEAR)
University of Colorado

THE CENTER FOR STUDIES IN VOCATIONAL and TECHNICAL EDUCATION

Graduate Study and Internships 1966-1967

THE UNIVERSITY OF WISCONSIN
INDUSTRIAL RELATIONS RESEARCH INSTITUTE

Catherine Conroy

Labor Ed.
~~Leads~~
Union Admin

INSTRUCTOR OUTLINES

CWA LOCAL LEADERSHIP

WEEK LONG SCHOOLS

1st and 2nd Year - 1968

LOCAL LEADERSHIP WEEK-LONG SCHOOLS

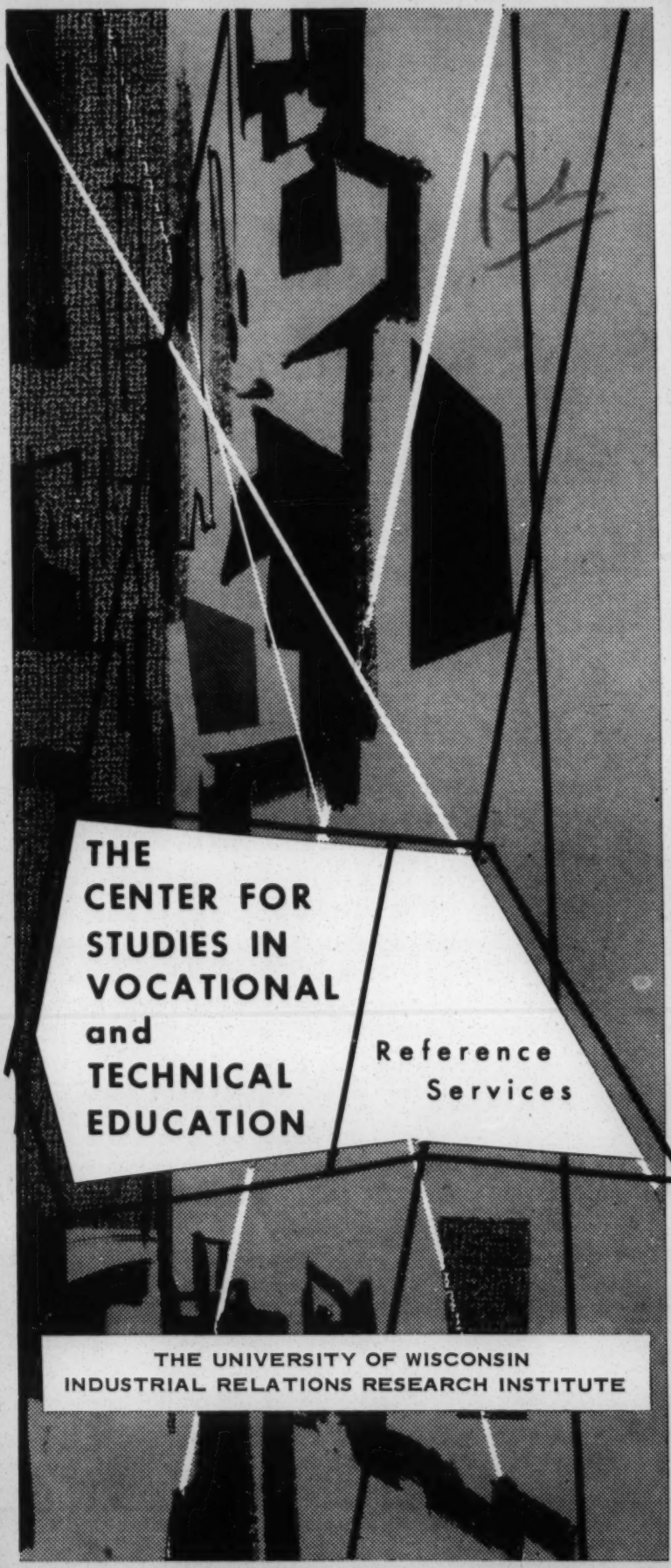
1968 Program

	FIRST YEAR	SECOND YEAR
	The 1st Year course is for local officers and for stewards or committeemen who have completed a two-day school and who have not previously attended a 1st year course. Members who have attended a Growth School may attend.	The 2nd year course is for members who have completed the 1st year course since 1963.
	CWA TODAY (CWA) M-F 1¼ hrs.	BUILDING AN EFFECTIVE LOCAL (CWA) M-F 1¼ hrs.
8:30 - 9:45	How the CWA bargains, CWA structure and history, and current CWA programs.	Workshop in setting local goals, CWA programs, and planning, recruiting training, and coordination to meet goals.
10:15 - 11:30	ECONOMICS OF LABOR ISSUES (UNIV) M-F 1¼ hrs. Wages, prices, profits, automation, today's corporation, right to strike.	NATIONAL ECONOMIC ISSUES (UNIV.) M-F 1¼ hrs. Gold, taxes, full employment, social welfare, international trade.
11:30 - 12:45	L U N C H	L U N C H
12:45- 2:15	HUMAN RELATIONS (UNIV.) M-Th. 1½ hrs. How to deal with union human relations: explaining the union, working with volunteers, race relations, generation issues, organizing.	POLITICS '68 (UNIV.) M-Th. 1½ hrs. The new voter, the new politics, federal state relationships, impact of world tension, the union member seeking a national spokesman, the black and white voter.
2:30- 4:00	LABOR POLITICAL GOALS (CWA) M-Th. 1½ hrs. Labor relations and politics, labor political achievements, anti-labor legislation, COPE	ORGANIZING TECHNIQUES (CWA) M-Th. 1½ hrs. Techniques of internal and external organizing and building local organizing activity.

7:00- 8:30 EVENING SESSIONS -- Monday, Wednesday and Thursday. Tuesday evening is open for an outing or field trip.

1 section school (12 to 23)	1 section school (12 to 23)
2 section school (24 to 48)	2 section school (24 to 48)
4 section school (49 to 80)	

1968
Machinists Leadership Schools

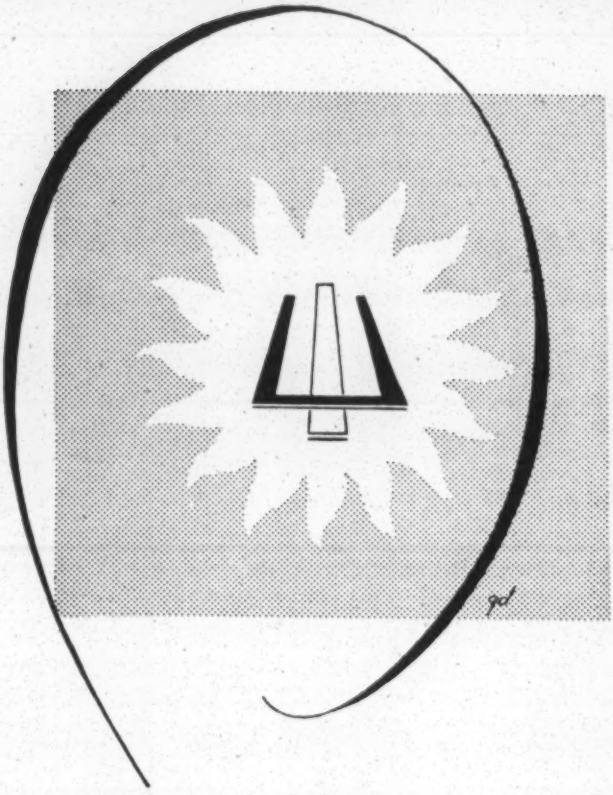


THE CENTER FOR STUDIES IN VOCATIONAL and TECHNICAL EDUCATION

Reference Services

THE UNIVERSITY OF WISCONSIN
INDUSTRIAL RELATIONS RESEARCH INSTITUTE

Univ. Lab. Ed. Programs



INDIANA UNIVERSITY

LABOR EDUCATION AND RESEARCH CENTER

201 Owen Hall
BLOOMINGTON, INDIANA 47401

The Development Services

LABOR

Education Center

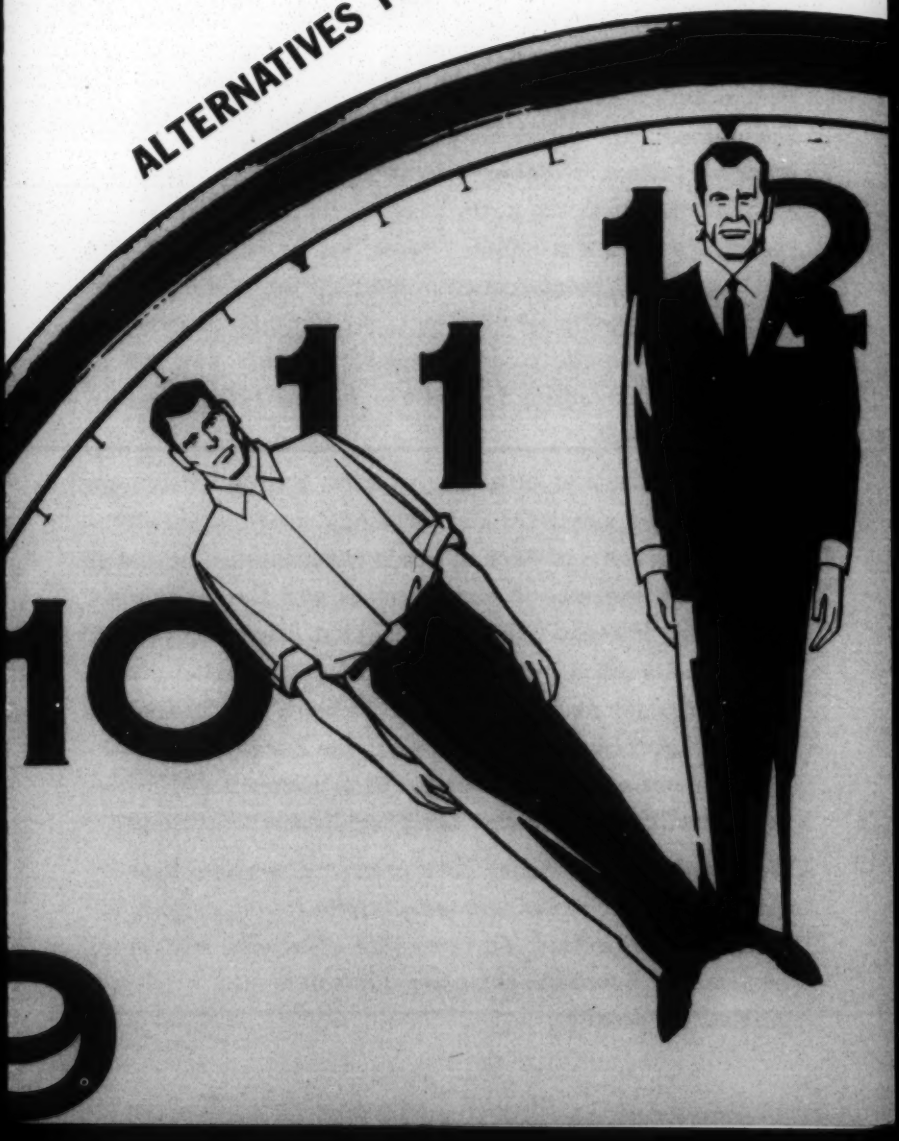
University of

KENTUCKY

College of Business and Economics

One-day conference on December 7, 1965, at the Hotel Roosevelt in New York City, presented by the New York State School of Industrial and Labor Relations of Cornell University, a Contract College of the State University, with the cooperation of the Labor Management Institute of the American Arbitration Association.

ALTERNATIVES TO CRISIS BARGAINING



ROOSEVELT UNIVERSITY
LABOR EDUCATION DIVISION

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Executive Director, Joint Board Hotel & Restaurant Employees Union
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MRS. ADDIE WYATT
Program Coordinator, District 1, United Packinghouse Workers of America

Roosevelt University was founded in 1945 to provide opportunity for learning and teaching in conditions of freedom and equality. It was founded in controversy over basic issues of democracy and freedom. From the beginning it has had strong support from the American Labor movement.

The Labor Education Division has equal status with the other schools in the University: Arts and Sciences, Business, and Music. The first director of the Labor Education Division, Frank W. McCullough, is the present Chairman of the National Labor Relations Board. President E. J. Sparling, founding President of the University, has always been a strong supporter of labor education in a university setting.

The Board of Trustees and Advisers includes Walter Reuther, Morris Bialis, Patrick Gorman, Jacob Potofsky, David Dubinsky, Adlai Stevenson, Ralph Bunche, and the late Mrs. Eleanor Roosevelt. The University library is named after Philip Murray and William Green who were advisers.

The office workers and all maintenance employees have a union shop and there is a local of the American Federation of Teachers at the University. The University has an unusual interest in serving the labor movement as well as other segments of our democratic society. We welcome your participation in the spirit of *training for better union service.*

Frank McCallister
DIRECTOR
LABOR EDUCATION DIVISION

ROOSEVELT UNIVERSITY
EDUCATION FOR FREEDOM
1945
CHICAGO

GUIDELINES

Developed by Representatives
of the

University of California

and the

California Labor Federation, AFL-CIO

for the

EXPANSION OF LABOR PROGRAMS

CALIFORNIA LABOR FEDERATION, AFL-CIO

THOS. L. PITTS, *Secretary-Treasurer*
810 David Hewes Building
995 Market Street, San Francisco

UPHOFF

KOHLER ON STRIKE

WALTER H. UPHOFF

KOHLER ON STRIKE

THIRTY YEARS OF CONFLICT

$7.50

Never in the history of American industrial life has there been a labor-management conflict which lasted so long, cost so much and engendered so much bitterness as the two strikes at the Kohler Company.

KOHLER ON STRIKE

records the events that plagued the Village of Kohler and Sheboygan County for much of three decades. Vividly describing the conflict in goals between labor and management, Walter Uphoff portrays the paternalistic, well-intentioned, family-owned company which expected to govern the lives of its employees, and alone determine wages, define working conditions and health benefits. Facing this employer was a growing number of workers who turned to outside unions — first an AFL federal labor union and then the United Automobile Workers — for help in achieving the collective bargaining rights spelled out by national legislation.

Out of this conflict came two strikes, two workers killed and 47 wounded in the first strike, extensive "military" preparations by the company before both strikes, mass picketing, vandalism and violence committed by individual strikers and nonstrikers, and a community split apart. The roles of local, state and federal governments in their attempts to mediate, the processing of allegations of unfair labor practices and the effect of the decisions of various courts are carefully described. The

(*Continued on back flap*)

(*Continued from front flap*)

book is documented by testimony from both sides, newspaper articles, transcripts of government hearings and many photographs. In fact, *Kohler On Strike* allows us to understand what was happening during the endless days of crisis as even the participants could not.

With the hope that what was learned during the long struggle will be used in the future development of labor relations, the author has given us what will undoubtedly be seen as the definitive account of this classic clash between management and organized labor.

ABOUT THE AUTHOR

WALTER H. UPHOFF, who grew up near Kohler, in Sheboygan County, Wisconsin, has maintained — through years of work in labor relations — a continuing interest in the Kohler problem. The first strike, its socioeconomic causes and effects, was the subject of his master's thesis at the University of Wisconsin, where he later joined the faculty. Now Professor of Economics and Director of Labor Education at the University of Colorado, he has also taught at the University of Minnesota. A teacher of labor education classes for trade unionists, joint classes for labor and management, courses of labor and industrial relations for university students, Walter Uphoff has frequently been consulted regarding the settlement of grievances and the negotiation of contracts.

Advance comments from a United States Senator:

"Professor Uphoff has shaped into a readable persuasive form the passions, agonies and the conflicts surrounding the long Kohler Company strike. He holds back no judgments on the actions of either the Kohler management or the striking United Auto Workers. In the field of labor relations, his book will assume the stature already attained in the field of sociology at large by the Lynds' *Middletown.*" — ROBERT F. KENNEDY

A reporter who covered the strike:

"Walter Uphoff's book offers an objective, well-documented analysis of the two Kohler strikes and restores a clear perspective to what feuding parties and frantic headlines transformed into a horrible blur. His scholarly research, his unflagging efforts to bring in the views of participants on all sides, his skill in distilling essential facts out of mountains of information and misinformation, and his lucid writing have transformed what could be a dry recital into a most interesting one." — CARL FIEDLER, *The Sheboygan Press*

A priest who served as a mediator:

"The recently concluded Kohler strike was more than a unique labor-management dispute. It was a tragic drama of a community divided by strife and bitterness. Professor Uphoff gives us a fascinating portrait of the entire struggle." — REV. JOHN F. CRONIN, S.S., National Catholic Welfare Conference

A labor educator:

"The author has spent a good portion of his life involved in studying, thinking and writing about his subject. *Kohler On Strike* shows this intimacy. The book is a moving, authoritative and important work, not only for the specialist but for anyone who is interested in the causes of industrial 'war' and 'peace.' " — FRED K. HOEHLER, JR., United Steelworkers of America

An industrial relations scholar:

"Here is a book of carefully documented history that achieves all the fascination of a great novel. That is possible only because the author has combined a deep, persistent, day-by-day yet detached, non-participant, probing interest in every dramatic episode of this thirty-year struggle. The total report reads like the observations of an experienced war correspondent, who records and interprets this sequence of events and demonstrates that truth is indeed both stranger and more intriguing than fiction." — DALE YODER, Stanford University

Classes offered by the . . .

LABOR EDUCATION CENTER
UNIVERSITY OF CONNECTICUT

Listed below are titles of courses offered through the Labor Education Center. Place a check mark next to the number of the course in which you are interested.

COLLECTIVE BARGAINING

____ 1. Contract Administration and Collective Bargaining (includes mediation and arbitration)
____ 2. Time Study & Job Evaluation (Basic)
____ 3. Time Study & Job Evaluation (Advanced)
____ 4. Collective Bargaining for Public Employees (State, Municipal, Teachers, Post Office Department employees, Federal employees)

ECONOMICS

____ 5. Basic Economics (includes foreign trade and foreign competition)
____ 6. Consumer Problems

INDUSTRIAL RELATIONS

____ 7. Labor Marketing and Employment
____ 8. Labor Relations and Research

LABOR LAW AND LABOR LEGISLATION

____ 9. Labor Law (Wagner Act, Taft-Hartley, Landrum-Griffin)
____ 10. Labor Legislation (Wage and Hour law, Davis-Bacon, Walsh-Healey, anti-trust, UC, WC, OASDI, medicare, state labor laws)
____ 11. Legislative Issues

LABOR HISTORY

____ 12. History of Labor in the U. S.
____ 13. History of Organized Labor in Connecticut

NATIONAL AND WORLD AFFAIRS

____ 13a. National and World Issues

UNION PROGRAMS AND PROBLEMS

____ 14. Union Administration and Leadership (includes grievance handling, membership education and participation)
____ 15. Speech and Parliamentary Procedure
____ 16. Needs and Problems of Building Trades Unions
____ 17. Needs and Problems of Industrial Unions
____ 18. Labor's Current Problems and Goals
____ 19. Planning for Retirement
____ 20. Union Health and Welfare Programs
____ 21. Community Problems
____ 22. Labor's Role in the Community

PSYCHOLOGY AND SOCIOLOGY

____ 23. Introductory Psychology
____ 24. Introductory Sociology

PHILOSOPHY

____ 25. Introduction to Philosophy
____ 26. Philosophy and Logic

LITERATURE AND FINE ARTS

____ 27. Literature and Fine Arts

SPECIAL COURSES (Fill in)

____ 28. _____

____ 29. _____

____ 30. _____

Note: Advanced courses on the above subjects can be offered when there are enough persons who have completed the first course on the subject or who have the necessary background. Twenty persons are necessary to have a course in any one of the above subjects. Special courses may also be arranged.
If there is interest in one or more of the above courses, detach the bottom part of this sheet and mail to: Labor Education Center, University of Connecticut, Storrs, Connecticut, 06268, Attention: Professor John Glynn, Director. If you want to phone, the number is: 429 - 9321, extensions 336 or 796, area code 203.

(detach here)

- -

Our union __; lodge __; central body __; council __; other __ (check one)
is interested in the following course (or courses):
Course Number and Title ____ _____

____ _____

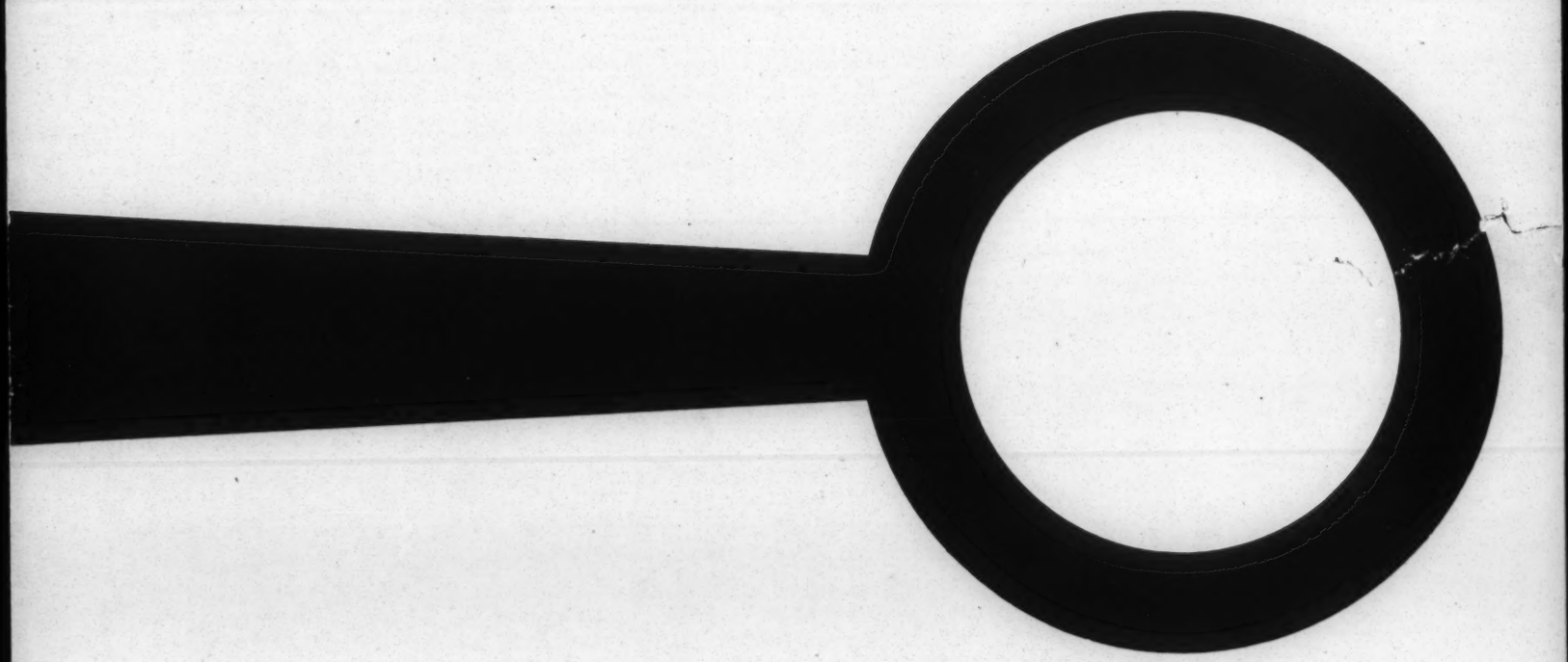
We would like the course to be held on the following day of the week:
_____ (fill in)
Starting at: ____ a.m., ____ p.m. (fill in), and
Ending at: ____ a.m., ____ p.m. (fill in).
We want this course to last: _____ weeks,
Starting on or about: _____ (date)
The number of students who will register for this course is: _____
Students will pay at registration ____; bill the local union ____ (check one)
(Make checks payable to: "The University of Connecticut")
Local Union No. _____
Street Address _____
City, State, Zip Code _____
Authorized Officer and Title

_____
(signature)

_____
(title)

Detach and mail to: Professor John Glynn, Director
Labor Education Center
University of Connecticut
Storrs, Connecticut 06268

THE UNION LEADERSHIP PROGRAM



The Ohio State University
LABOR EDUCATION AND RESEARCH SERVICE
College of Commerce and Administration

THE UNION LEADERSHIP PROGRAM

A UNIVERSITY LEVEL PROGRAM FOR UNION OFFICERS AND HIGHLY MOTIVATED MEMBERS

Why are many union members apathetic as far as their unions are concerned?

What's the difference between effective leadership and holding an office?

Why is organized labor receiving sharp criticism from the American public and what can be done about it?

Is the worker's fear of automation and foreign competition justified?

Union leaders are frequently confronted by many questions arising from their responsibilities to the union, to themselves, and to the public. Sometimes the questions have simple answers; most of the time they are complex, involving people with different ideas and attitudes or relationships that are vague and complicated. Yet a leader is expected to provide the answers and solutions – if he didn't he wouldn't be a leader.

While there is no way that a leader can *always* come up with the right answers, education increases the chance that he will. Education includes knowledge of the ideas of people who may have spent years, even lifetimes, searching for the answers to a few questions. Thus, education provides the means whereby someone, such as yourself, can profit from the findings, ideas, and experiences of others without making the same costly investment.

Because we believe there are many union leaders (both officers and active members may be leaders) in the State of Ohio who want to do a better job in their unions, and gain the respect and position that rightfully goes to one who does a better job, the Union Leadership Program was developed by the Labor Education and Research Service and is now offered in a number of Ohio cities.

The Union Leadership Program consists of a selected group of nine courses that are designed to meet the educational needs of union leaders. Two-hour classes taughts by instructors who are well-qualified to work with adults, meet one night each week, for twenty-four weeks in a year. Each participant has the opportunity to complete three courses each year. The entire program spans a three-year period, at the end of which a certificate of accomplishment is awarded. However, the successful completion of two years or even one year may enable a person to acquire skills and ideas that will be of value throughout a lifetime.

The fee for the program is $55 per year; this includes all costs to the participants, including books and materials. The fee may be paid either by the individual or the local union, should it choose to sponsor one or more participants as many locals have done.

If you wish to apply for the Union Leadership Program, send the attached application to the Labor Education and Research Service as soon as possible.

COURSE DESCRIPTIONS

The courses described below are offered in each Labor Education Center but not necessarily in the following order.

ECONOMICS

The study of the structure and functioning of the American economic system. In the process of developing economic ideas, concepts, and models, this course includes consideration of such questions as the causes and consequences of unemployment, business fluctuations, foreign trade and technological change. Also examined are the role and significance of government regulations and intervention, and private associations such as the trade union.

SOCIOLOGY

This course deals with the structure and functioning of society. Beginning with the concept of the "group," the concept of society is analyzed in terms of institutions, such as the economy, the family, religion, and government. The course also deals with the manner in which society regulates and influences its component parts such as trade unions.

COLLECTIVE BARGAINING

The investigation and analysis of various aspects of collective bargaining in terms of employers' and unions' attempts to achieve goals within certain legal and economic frameworks. This course includes consideration of such matters as specific bargaining issues, bargaining tactics and strategies, contract administration, grievance procedure, arbitration, wages and wage theories.

POLITICAL SCIENCE

The course in political science deals with the structure and functioning of American national, state and local governments. Consideration is given to the relationship between government and widely held political attitudes, factors which influence the legislative, executive and judicial processes, and the role of political parties and pressure groups in their contemporary setting.

COMPARATIVE POLITICAL AND ECONOMIC SYSTEMS

This course deals with the structure and functioning of different economic and political systems which today are important in the world. Contrasted and evaluated are democratic and authoritarian types of governments and free market and centrally directed economies.

UNION LEADERSHIP: A CASE STUDY IN SOCIAL PSYCHOLOGY

This course deals with relationships among people. Specifically, questions such as these are considered: Why do people belong to groups and organizations? To what extent and in what directions can members of groups and organizations be led? And, how do leaders function? Also considered are such group and organizational problems as apathetic members and changing goals.

LABOR LAW: THE LAW OF COLLECTIVE BARGAINING

The study of common and statutory law, and their interpretation by courts and the NLRB. This course deals with the legal implications of the institution of collective bargaining as it relates to employers, employees, and their representatives. Some specific issues dealt with are (1) the workers' right to combine and bargain collectively, (2) good faith bargaining, (3) employer unfair labor practices, and (4) union unfair labor practices.

COMPLEX ORGANIZATIONS

This course deals with the manner in which large organizations function with special emphasis upon the behavior of the individuals who staff them. Other topics included in this course are systems of control within organizations, the organization's impact on the individual's personality, and deviant behavior in a society made up of complex organizations.

LABOR HISTORY AND CONTEMPORARY PROBLEMS

This course begins with the emergence of unionism in the U. S. in the 19th Century, traces its development to the present, and ends with examination and analysis of problems for unionism observable today. Included in this is an attempt to assess the past, present, and expected impact of unionism upon the American industrial relations environment.

THE OHIO STATE UNIVERSITY LABOR EDUCATION AND RESEARCH SERVICE

The Labor Education and Research Service has been established to (1) make available university-level education programs for workers and their organizations, and (2) promote and conduct research and materials development projects in the area of labor and industrial relations to support and improve the quality of labor education.

EDUCATION

In addition to the Union Leadership Program, described in this brochure, other educational programs offered by the Service include special short courses meeting one night each week for six to ten weeks and conferences offered either on the university campus in Columbus or in other areas of the state. A variety of subjects have been included in such programs, including the following: grievance procedure; time and motion study and job evaluation; steward training; local union administration; union organization and structure; labor history; economic and social problems; and governmental and political issues of importance to labor. Usually, the costs are low, varying with the size of the group and the amount of instruction and materials required. The Service also conducts one-week summer schools on the university campus in cooperation with national, regional, and state labor organizations.

RESEARCH

In its research activities, The Labor Education and Research Service has conducted a number of projects in the area of labor and industrial relations, including studies of union members' attitudes, practices of union officers, determinants of union members' loyalties to their unions, union democracy, unionists' views toward labor education, and the development of appropriate reading materials for use in labor education programs. (A list of publications will be furnished upon request).

Should you or your union wish to use the services provided by The Labor Education and Research Service, or obtain additional information, contact:

Labor Education and Research Service
The Ohio State University
65 South Oval Drive
Columbus, Ohio 43210

Telephone: 293-7930, area code 614

LABOR EDUCATION AND RESEARCH SERVICE
THE OHIO STATE UNIVERSITY
COLLEGE OF COMMERCE AND ADMINISTRATION
65 South Oval Drive
Columbus 10, Ohio

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UNION ADMINISTRATION QUESTIONNAIRE

This questionnaire asks a great many questions about your local union. It asks a few questions about you. The purpose of the questionnaire is to help in teaching the course on union administration. It should give an idea as to what are the troublesome problems and strong points in your local's operation. Also, it may suggest activities or approaches to problems that will interest you -- in any case, these can be discussed in class.

Most of the questions can be answered in the blanks with a simple "yes" or "no" or by checking the appropriate box. A few questions require your best estimate as to a number or a percentage. Some questions require a brief comment.

In some cases you may not know the answer: if this happens, just write "don't know" or simply put "D.K.".

If there is anything that is not clear, feel free to ask for an explanation.

Labor Education Center
University of Kentucky

Section I

GENERAL

Name_____

1. What is the number and/or name of the local union to which you belong?

_____

2. What is the name of the international union to which your local belongs (if any)?

_____

3. What office do you hold in the local union?

_____

4. How long have you held this office? _____

5. Have you ever held any other office in this local union?_____

What office?_____How long? _____

6. Does the local elect any full time, paid officers? _____

What office is full time? _____

7. At this time, is your local affiliated with a central labor body?

_____

7a. Which central body? _____

8. If applicable -

At this time is your local affiliated with a building trades council?

_____

8a. Which council? _____

9. For what company do you work? _____

10. How long has the union been organized there? _____

11. How many workers are there in the shop in which you work?_____

12. What percentage of the local's members are actually active in union affairs? _____

Section II

THE LOCAL UNION MEETING

1. What percentage of the union's membership comes to the local meeting?_____
2. How many people will the meeting hall seat? _____
3. Where is the meeting hall? the union's own building_____; belongs to another union or the central body_____; other_____
4. How often do you have local meetings? _____
5. When is the meeting held? Time_____ Day _____
6. Is anything special done to encourage people to attend the meeting? _____ What? _____
7. Do the officers attend regularly? _____
8. Do the stewards attend regularly? _____ What percentage_____
9. Are special programs (speakers, movies, etc.) arranged for the meeting?_____
10. How long does the meeting last? _____ Is this long enough? _____ Too long? _____
11. Do the officers know how to run the meeting smoothly? _____
12. Do the members know how to participate in the meeting? _____
13. Does everyone feel free to express himself on the business before the meeting? _____
14. Is the meeting hall too hot? _____ Cold? _____ Smokey? _____ Dreary? _____
15. Is there an agenda for each meeting -- a listing of the items to be brought up and their order? _____
16. Who plans the meeting? _____ Is there a planning session before the meeting? _____

17. Are accurate minutes taken? _____ Where are they kept? _____ How long are minutes kept? _____

18. Who actually runs the Union meeting?

- [ ] Local Union President
- [ ] Business Manager
- [ ] International Union Representative
- [ ] Other (Who?) _____

19. What do you think is wrong with the local union meetings?

20. What is good about your local union meetings?

Section III

STEWARDS SYSTEM

1. How many stewards do you have in the union? _____

2. On an average, each steward represents how many workers? _____

3. Have your present stewards had any special training? _____

4. What kind of training? _____

_____

5. When a member feels that he has a grievance, who does he go to first?

   - [ ] His steward
   - [ ] Chief Steward
   - [ ] Union Officers
   - [ ] Local Grievance Committee members
   - [ ] Other (Who) _____

6. In <u>your</u> opinion, are grievances in your local handled well?

   Yes [ ] No [ ]

   If yes: Would you say - (Check one)

   - [ ] All of the time
   - [ ] Most of the time
   - [ ] Half of the time
   - [ ] Just some times

7. Would you say that the members of your local are generally satisfied with the way grievances are handled?

   Yes [ ]

   No [ ]

8. What kind of people are unhappy about the way grievances are handled?:

   Trouble maker? _____ A minority faction? _____

   Those who don't know the contract? _____ Those who don't belong to the union? _____ Others? _____

9. In which of the grievance steps are most of the grievances settled

- [ ] First step (If checked, what %) _____
- [ ] Second step
- [ ] Third step
- [ ] Arbitration

10. At what point (or step) are grievances written out? _____

11. Does the union keep a file on grievances? _____

12. Is a written report kept on grievances that were not submitted to the company in writing? _____

13. On the average, how many written grievances are there each year in the shop in which you work? _____

14. How are stewards selected? Elected? _____ Appointed? _____

By whom? _____

15. Getting members to serve as stewards is: Tough? _____

Not so bad? _____ Easy? _____

16. Do stewards get any special privileges or pay? _____

What? _____

17. Do the members use the grievance procedure freely? _____

18. How often are stewards' meetings held? _____

_____

19. What tasks do stewards perform other than handling grievances? _____

_____

Section IV

ARBITRATION

1. Under your contract may unsettled grievances be sent to arbitration?

   Yes ☐ No ☐

   If No:

   1a. How are they finally settled? _____

   _____

   If Yes:

   1b. Has your local ever taken any grievances to arbitration?

   Yes ☐ No ☐

   If Yes:

   1c. On the average, how many arbitration cases has the local sent to arbitration each year? _____

2. When was the last arbitration case? _____

3. What percentage of arbitration cases does the union win? _____

4. Who prepared the arbitration case (his position, not his name)?

   _____

5. Who presents the arbitration case for the union (what officers, representatives or "outsiders" -- position, not name)?

   _____

6. Who presents the company's case in arbitration (His position)?

   _____

Section V

COLLECTIVE BARGAINING

1. How many people (union members) are on your bargaining committee?_____

2. How is the bargaining committee selected? _____

_____

_____

3. What does the committee do to prepare for negotiations?

   a. Does it research the company financial position?

      Yes ☐ No ☐

   b. Does it see what clauses, wages, benefits are in other area contracts? Yes ☐ No ☐

   c. Does it see what clauses, wages, benefits are in other contracts in the same industry? Yes ☐ No ☐

   d. Does it consult or work with the union's international representative Yes ☐ No ☐

   e. Does it ask the membership to make suggestions?

      Yes ☐ No ☐

4. Who <u>really</u> decides what the local will ask for in collective bargaining? _____

5. How long does bargaining usually take? _____

6. Is your contract as good as most others in your locality

   Yes ☐ No ☐

   Is it better?

   Yes ☐ No ☐

7. Is your contract as good as others in the same industry? Yes ☐ No ☐

   Is it better? Yes ☐ No ☐

8. Which three (3) of the following issues do the members feel are most important?

Check (✓) three (3):

- [ ] a. Pension plan
- [ ] b. Hospital, Life Insurance
- [ ] c. Union shop clause
- [ ] d. Vacations
- [ ] e. Seniority provisions on layoff, promotion
- [ ] f. Wages
- [ ] g. Grievance procedure
- [ ] h. Holidays
- i. Other? _____

9. Which three (3) bargaining issues are most important to your union officers?

Check (✓) three (3) :

- [ ] a. Pension Plan
- [ ] b. Hospital and Life Insurance
- [ ] c. Union shop clause
- [ ] d. Vacations
- [ ] e. Seniority on layoffs, promotions
- [ ] f. Wages
- [ ] g. Grievance procedure
- [ ] h. Holidays
- i. Other? _____

10. What contract improvements do <u>you</u> feel would be most important for your next negotiations? _____

_____

_____

11. At the conclusion of negotiations, does the membership ratify or reject the proposed contract terms? Yes ☐ No ☐

If no, who makes this decision? _____

_____

12. During negotiations, does the bargaining committee issue frequent reports (membership meetings or leaflets) to the members about what is going on in negotiations?

Yes ☐ No ☐

Section VI

COMMITTEE STRUCTURE

1. Does the local have an Executive Board? _____ How many members? _____

2. How are they selected? _____

3. Is there also an executive committee? _____ How many members? _____

   How selected? _____

4. What standing committees does the local now have?

   ☐ Bargaining, ☐ Recreation, ☐ Safety,

   ☐ Community Services, ☐ C.O.P.E., ☐ Education,

   ☐ By-Laws, ☐ Workmen's Compensation, ☐ Legislative,

   ☐ Health and Welfare, ☐ Public Relations

   Others _____

5. What special committees are now functioning in the local? _____

   _____

6. Which committees meet regularly? _____

   _____

7. Which committees have more members than just a chairman? _____

   _____

8. Do the committees feel as if they have some real things to do that will help the local union and its members? _____

   Do they do them? _____

9. Are committees encouraged to be active by the officers and executive board? _____

10. Do the members know what the committees are supposed to do? _____

11. Do members pass ideas on to committees or go to them to get help when needed? _____

12. Of the committees you now have, which are not needed? _____

_____

13. Can you think of committees which the local really needs that it does not have? _____

14. Is it difficult to get committee members to serve? _____

To get chairmen? _____

Section VII

COMMUNITY RELATIONS

1. Do union members serve on any public committees or boards? _____

2. Which one? Library_____School_____Community Chest_____

   Other_____

3. How often does news about your union appear in the newspaper?_____

4. Is it just a routine notice of meetings?_____ Report of union elections?_____ Report of negotiations? _____ Community activity? _____

5. Are the news items usually favorable to the union? _____

   Unfavorable? _____ Neutral? _____

6. Does the union get news on the radio and/or TV? _____

   About what? _____

   Is it favorable? _____

7. Does the union participate in any community activities? _____

   What?_____

   In what way? _____

8. What is the general attitude of the community towards your union?

   _____

   Towards labor in general? _____

9. In your community, who does the most to make these opinions about the Union? _____

10. Does the union have any special contact with the families of its members? _____ What? _____

11. Do members' wives support the union? _____

    Do they think its a good thing? _____ Don't know much about it? _____

12. Does the public library have any labor books? _____ Do they have a special display in connection with Labor Day? _____

13. Does the high school library have labor books?_____ Do high school teachers have up-to-date information on the labor movement? _____

Section VIII

POLITICAL PARTICIPATION

1. Does your local endorse candidates for political office? _____

   Local? _____ State? _____ National? _____

2. Does the local take part in a register-to-vote campaign? _____

3. What percentage of your local members are registered? _____

4. Does the local keep up-to-date records on its members as to whether they are registered? _____

5. Does the local urge members to vote? _____ Is there a campaign? _____

6. Do candidates for office speak at local union meetings? _____

7. Does the local get reports on legislative issues? _____ Does it report which way the representatives in your area voted on particular bills?_____

8. Are letters written to legislators by the local?_____ By members at the urging of the local?_____Are legislators visited so that the local's political interests may be made known? _____

9. Does the local collect money for political or political education purposes? _____

10. Are the members "against" the local being in politics?_____

11. Do members' wives oppose the local being in politics? _____

12. Does the community in general oppose the union's being in politics? _____

13. Do any of your members hold political office?_____What?_____

14. What political issues have been presented to the local union in the last year? _____

    _____

15. What percentage of your members make a contribution to C.O.P.E., a political candidate, or to some other political activity?_____

FIGURING THE COST OF FRINGE BENEFITS

The following formulas tell you how to figure the cost of fringe benefits. The tables which give you costs figured from the formulas are close approximations. However, if precision is important it is better to work your costs out directly from the formulas.

All figures are based on a 40 hour week for 52 weeks (2080 hours). Overtime does not enter into figuring fringe benefit costs.

Holidays, Sick Pay, Vacations, Funeral Leave, etc.

General Formula:

(1) $$\frac{2080}{2072} - 1 = .003861$$

Note 1: This is a figure that can be used in computing the cost of any number of days off with pay by substituting in the following formula (2). It can be rounded to .0039. The formula tells us that if a man is paid for 2080 hours but works only 2072 (in other words, he has one day off with pay) the cost to the company for the hours worked is greater. In the case of one day off it is .003861 times his hourly wage.

To figure the cost of the paid holiday program use the following formula:

(2) .003861 x straight time hourly wage x no. of holidays = cost/hr.

Note 2: The straight time hourly rate should be the average wage for the whole bargaining unit. This is gotten by adding the straight time hourly wage of each employee and dividing by the number of employees.

$$\frac{\text{Total of straight time hourly wage of each employee}}{\text{No. of employees}} = \text{Average straight time for the bargaining unit.}$$

Example 1: John Jones works for $1.50 per hour and gets six paid holidays annually. We want to know how much it costs the company for each hour John Jones works.

.00386 x 1.50 x 6 = .0347

1.50 .0347 = 1.5347 or approximately 1.53½ cents per/hour.

Example 2: We know that in the plant where John Jones works some people receive more pay than he does and some receive less. From the list of hourly rates the company has given us for collective bargaining we find that the following are the rates paid:

Rate	No. of Employees	Rate x No.
1.75	10	17.50
1.60	20	32.00
1.50	30	45.00
1.40	20	28.00
1.25	10	12.50
Total	90	135.00

$$\text{Average Hourly Wage} = \frac{135.00}{90} = 1.50$$

Substituting in formula (2) as in example (1) we find that the hourly cost for the company's holiday program is .0347 per hour or approximately 3½ cents per hour.

To figure the cost of paid vacations use the following formula:

(3) .003861 x straight time hour rate x no. of days of paid vacation = cost/hour for vacation.

Note 3: When you want the average cost for the whole bargaining unit you will have to multiply the rate of pay for each employee x the number of days vacation for that employee. Multiplying average figures will not give you the correct figure. In order to find this information you will need the complete seniority listing.

Example 3: In plant X there are 20 employees. They receive one week (5 days) of paid vacation after 1 year with the company and two weeks (10 days) of vacation after 3 years with the company. Using the seniority list and rages of pay furnished by the company we find the following:

(A) No. of days of paid vacation	(B) Average hourly rate	(C) No. of employees	(A) x (B) x (C)
10	1.70	5	10x 1.70x 5 = 85.00
10	1.50	2	10x 1.50x 2 = 30.00
10	1.40	3	10x 1.40x 3 = 42.00
5	1.75	1	5x 1.75x 1 = 8.75
5	1.45	3	5x 1.45x 3 = 21.75
5	1.30	6	5x 1.30x 6 = 39.00
			Total 226.50

$$\frac{226.50 \text{ (no. days vacation x rate of pay for each employee)}}{20 \text{ (No. of employees)}} = 11.31$$

11.31 x .003861 = .0437 or slightly over 4 cents per hour cost for the vacation program.

To figure the cost of Sick leave, funeral pay, etc.:

Use the same formula (2) as you use for paid holidays. Instead of using "no. of holidays" use the average days lost as a result of sickness not paid for by some other plan. For example, if your health and welfare plan starts paying sick leave after the sixth day, it would make the figure larger than it should be if you took the average days lost per year due to sickness. You must request a precise breakdown from the company if you wish to figure this cost. If the company uses the cost argument you can request their figures. The same holds for funeral leave or other leaves that depend on variable conditions.

Note: The experience figures of any one company are unstable from year to year. For example, if there is a flu epidemic the cost of paid sick leave may be higher for that year than for another year.

Figuring from a Table

For quick and fairly precise figures on cost use Table I. (See Page 8)

Figuring paid holidays:

We know that the average wage is $1.50 an hour and that the company grants 6 days paid vacation. We go down the column that is headed "Hourly Pay" until we reach "1.50". We than go across to the column headed "6" for number of days. We find the average hourly cost of 6 days paid vacation to the company is .0347 or approximately 3½ cents per hour.

The cost of an added day of vacation could be figured very easily. Follow the same procedure. Go down the column headed "hourly pay" to "1.50". We then go to the column headed "1" and we find the added cost of one day vacation to be .0058 or approximately 6/10 of a cent per hour.

If we wish to know the total cost of 7 days vacation for a unit whose average wage is $1.50 an hour we can add:

$$\begin{array}{r} .0058 \\ \underline{.0347} \\ .0405 \end{array}$$

or approximately .04 per hour for 7 days vacation.

Although 2.10 is not on the table, if we wish to know the cost of vacations for individuals making 2.10 an hour, we can add the figures we find under 1.00 and 1.10 and have the answer.

Example 4. John Jones makes $2.50 an hour and get 7 days vacation with pay. What is the company's cost for the hours worked by John Jones?

Reading from the table we go down the column headed "hourly rate" and choose any two figures that equal $2.50.

We will choose: 1.20 and 1.30

Since we only have up to six days on the table we will have to choose from the columns headed "no. of days" two columns that will total 7.

We will choose 3 and 4

Using the table we get the following figures:

$1.20 for 3 days	.0139
$1.20 for 4 days	.0185
$1.30 for 3 days	.0151
$1.30 for 4 days	.0201
Total	.0676

We find the cost of 7 days vacation for a man making $2.50 per hour is .0676 or approximately 6-3/4 cents per hour.

Note 4: You can use any combination that adds to the total you want. Some combinations will differ slightly from others but not enough to be concerned about.

Figuring vacations:

The same technique applies as in figuring holidays. You must, however, look up each individual on the seniority list and find the individual cost. Add each of these costs and divide by the total no. of individuals.

As a short cut, however, if you have for example, 10 men receiving 10 days of vacation - you find the cost for 1 man and multiply by 10. DO NOT FORGET TO ADD THE FIGURE OF 10 TO TOTAL NUMBER OF EMPLOYEES WHEN YOU FIGURE THE AVERAGE.

Example 5: We will use the figures in example 3.

We know that 5 men making 1.70 receive 10 days vacation. In the table we look up 1.70 for 6 and 4 days (= 10 days) and add the figures

$$\begin{array}{r} .0263 \\ \underline{.0392} \\ .0655 \end{array}$$

Since this is the cost for one man and we want the average we multiply this by 5 (the number of men who make the money and receive the same amount of vacation). Because not all men work under these conditions we must work through the rest of our table in the same way.

The figures we get are as follows:

$$\begin{array}{rcrcr} .0655 & \times & 5 & = & .3275 \\ .0579 & \times & 2 & = & .1158 \\ .0540 & \times & 3 & = & .1620 \\ .0338 & \times & 1 & = & .0338 \\ .0280 & \times & 3 & = & .0840 \\ .0251 & \times & \underline{6} & = & \underline{.1506} \\ & & 20 & & .8737 \end{array}$$

$$\frac{.8737}{20} = .0437 \text{ or slightly over 4 cents per hour cost}$$

Note 5: The figure may not be quite the same as when we figure the long way as in Example 3. This difference is slight and results from slight inaccuracies from the use of the table. The cost will not always be greater when figured from the table. Sometimes it will be slightly less depending on the wage figures and no. of days.

Figuring other paid leave:

The same technique applies as when figuring holidays. Remember the exceptions stated in the paragraph "Figuring sick pay, funeral pay, etc.

NOTE: If you have a wage rate that isn't listed in the table, for example, 1.67 and you wish to find the cost for 4 days of paid leave - an approximate figure can be gotten by looking up 1.65 (.0255) and 1.70 (.0263) and taking a figure about half way between (.0259).

Health and Welfare & Pension Plans

The cost per hour of health & welfare plans or any other benefit with a fixed dollar value is very easy to compute. The cost per employee per year is divided by 2080, the number of hours in a work year.

Company "A" pays 5 dollars a month or 60 dollars a year toward the health and welfare program of the employees. The cost per hour is:

$\frac{\$60.00}{2080 \text{ hours}}$ or .0289 or approximately 3 cents per hour

Example 6: Company "A" is in negotiations. The Union is asking for 2.00 a month added contribution. The cost to the company per hour is:

$\frac{\$24.00}{2080 \text{ hours}}$ or .0115 or approximately 1 and 1/10 cents per hr.

NOTE: In many pension plans workers are not covered until they have been with the company a number of years. In this case the cost per hour is decreased.

Example 7: Company "A" has pension plans to which it contributes 5.00 per month for every employee who has been with the company 5 years or more. Half its employees have been with the company 5 years or more. The cost per hour to the company is:

$1/2 \times \frac{60.00}{2080 \text{ hours}}$ or .0144 per hour or approximately $1\frac{1}{2}$ cents per hour.

OTHER COMPUTATIONS

Rest Periods

In some cases the company may consider rest periods a cost item. In many shops this is not a legitimate cost item because the shop is not closed down for rest periods and there are no special relief men.

Even if the shop is closed or men stop their machines for rest period, it is not a necessarily legitimate cost item since some studies have shown that production is not decreased by giving rest periods.

If the employer includes the cost of rest periods, multiply the number of minutes in rest periods for each day by the number of working days and divide by 480 (the number of minutes in an 8 hour work day) and then apply the same procedure as for holidays.

Total Cost of Fringe Benefits

At times you might wish to figure the total cost of fringe benefits. This can be figured by multiplying the total cost per hour of the average number of employees times 2080. The average number of employees, to be accurate, must be gotten from the company since the work force changes over the year.

If you want only the total cost and not the cost per hour some obvious short cuts can be taken. For example, health and welfare payments, and pensions may be fixed per employee cost. Cost of holidays, vacations, etc., will not have to be reduced to hourly cost but can be left in cost per day.

For Example: The total cost of holidays can be gotten by

Average rate of pay x no. of employees x no. of paid holidays x 8 hours.

Percentage of Labor Costs Paid in Fringe Benefits

The percentage of total labor cost can be figured by the following:

$$\frac{\text{Total cost of fringe benefits}}{\text{Total labor cost}}$$

If the pay for time off is included the percentage will be higher than if only straight time worked is used for figuring the percentage.

The percentage will vary depending on what goes into total labor cost. Total cost can be figured using:

(1) Total, including pay for time off - in this memo we use pay excluding pay for time off, but do not use overtime hours.

(2) Arbitrary number of hours - in this work sheet we use 2080 hours as a full work year.

(3) Straight time hours worked.

(4) Pay for scheduled work hours.

TABLE I - COST PER HOUR OF PAID LEAVE

Hourly Pay	Number of Days					
	1	2	3	4	5	6
1.00	.0039	.0077	.0116	.0154	.0193	.0232
1.05	.0041	.0081	.0122	.0162	.0203	.0243
1.10	.0042	.0085	.0127	.0170	.0212	.0255
1.15	.0044	.0089	.0133	.0178	.0222	.0266
1.20	.0046	.0093	.0139	.0185	.0232	.0278
1.25	.0048	.0097	.0145	.0193	.0241	.0290
1.30	.0050	.0100	.0151	.0201	.0251	.0301
1.35	.0052	.0104	.0156	.0208	.0261	.0313
1.40	.0054	.0108	.0162	.0216	.0270	.0324
1.45	.0056	.0112	.0168	.0224	.0280	.0336
1.50	.0058	.0116	.0174	.0232	.0290	.0347
1.55	.0060	.0120	.0180	.0239	.0299	.0359
1.60	.0062	.0124	.0185	.0247	.0309	.0371
1.65	.0064	.0127	.0191	.0255	.0319	.0382
1.70	.0066	.0131	.0197	.0263	.0328	.0392
1.75	.0068	.0135	.0203	.0270	.0338	.0405
1.80	.0069	.0139	.0208	.0278	.0347	.0417
1.85	.0071	.0143	.0214	.0286	.0357	.0429
1.90	.0073	.0147	.0220	.0293	.0367	.0440
1.95	.0075	.0151	.0226	.0301	.0376	.0452
2.00	.0077	.0154	.0232	.0309	.0386	.0463

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COLLECTIVE BARGAINING

I. Introduction

A. The union contract as a form of government

A labor contract acts as a "law and order" document. It eliminates arbitrary procedures of management by introducing a relationship between employers and employees. The contract establishes an "industrial citizenship". The divine and arbitrary right of employers to deal out justice and determine conditions of work and pay gives way to a system of jointly agreed upon rules and procedures.

B. The scope of collective bargaining

In practice, collective bargaining includes the whole range of human relationships surrounding and including the recognition of the union, negotiations for agreements, the relationship in the shop or office, strikes and lockouts, as well as the increased consideration of problems of common concern to employees and management.

Collective bargaining is substantially more than the written agreement and grievance machinery which it provides. These instruments may exist and the collective bargaining relationship may still be unsatisfactory. A successful collective bargaining relationship hinges on the continued ability and willingness of the parties to recognize their mutual responsibilities, to understand the reasons for the actions of the other party, and to carry out their responsibilities with a clear sense of justice for all individuals involved.

C. Management rights

Management rights have been defined by common law. Usually these rights involved directing the work force, disciplining employees, setting up rules and regulations for efficient operation of the business, determining the products to be manufactured, etc. The development of broader social outlook by unions has through the years broadened the area of collective bargaining. Today, there appears to be a good basis for unions' concern with business practices, for example, pricing. Labor gets blamed for price increases because of negotiated pay raises. This suggests that labor in negotiations should be concerned with broader economic and business issues.

D. The labor contract as a unit

In negotiating a union contract, the contract must always be thought of as a unit rather than a series of provisions. One clause may have the effect of nullifying another. For example, a no strike clause may make it impossible to strike over economic issues if re-opening or termination clauses are not properly worded.

Collective Bargaining

II. Techniques in Collective Bargaining

No single formula for collective bargaining can be developed which will apply properly in all cases because of widely varying conditions and specific history of negotiations. Generally, however, some approaches can be applied in modified form to most negotiations.

A. Preparations for negotiations

In many cases the union will prepare a set of contract proposals for changes which will be presented to the company either before negotiations or at the first negotiating session. The company may also draw up a list of proposals for contract changes.

1. In preparing proposed changes the following questions should be asked:

   a. Do these proposals include the changes important for correcting difficulties that arose under the past contract. This can be determined by studying the grievances filed under the current contract and by asking for suggestions at Steward Council or membership meetings.

   b. Have new clauses been added to adapt the contract to changing conditions. For example, if the company is planning job evaluation or time study -- are there provisions to protect the workers now on the job? Will new equipment be introduced?

   c. Are the demands reasonable?

   d. Can the demands be backed with sound arguments?

2. Facts should be in the hands of the negotiating committee to back up their demands.

   a. As many facts as possible on wages and working conditions in comparable industries both locally and throughout the nation.

   b. Employees average hourly earnings. (In this section are excerpts from an article by Max Miller giving the employers responsibilities for supplying this information.)

   c. Figures on the cost of living both nationally and for the particular area.

   d. The laws, decrees, and regulations, both Federal and State, which may affect the negotiations.

Collective Bargaining

B. Methods of procedure during negotiations

1. The negotiating committee
The committee should be completely familiar with all the demands and the conditions in the plant which lead to these demands. As much as possible they should have an understanding of the complete operation of the company.

2. The spokesman for the committee
One individual should be designated as the spokesman. This will probably be the union representative, business agent, or one of the officers of the union.

3. Procedures during negotiation meetings

aa. If the company presents formal proposals, ask for a recess to study them. After the recess raise any questions you may have.

b. Be prepared to go through your own proposals explaining them point by point.

c. The committee members should always follow the lead of their spokesman. If there are any misunderstandings or disagreements among the committee, a recess should be asked for. The committee should always present a united front.

d. When legal questions arise that the committee is not sure about, it should request time to consult the union's attorney.

e. Early in negotiations retroactivity to date of contract expiration should be agreed upon (if no settlement is reached by the expiration date).

f. Avoid deadlock if possible.

4. The final draft of contract
The final draft should be studied carefully before signing. If there have been major changes in wording, it might be wise to have the union attorney check it.

C. Human relations in negotiations

1. Conduct negotiation meetings in a courteous, firm and business-like manner.

2. Insist that all discussion be carried on in a factual objective manner.

3. Refrain from deadlock if possible.

4. Keep heat and passion out of discussions as much as possible Abusive language and anger quite often put the committee at a disadvantage.

Collective Bargaining

5. The committee should always be willing to listen, giving management complete opportunity to express their point of view. By listening and asking questions, the committee may learn facts that will help them in negotiations.

D. Interpreting changes in the contract to stewards and membership

If the contract is to be successfully enforced, it is necessary that the members understand the changes completely. If the changes are extensive, it may be necessary to hold a number of sessions to interpret the changes to the stewards. Care should be taken in putting the new contract into action.

III. Bargaining for Wages

A. Prevailing wages in craft and industry

One approach is to present information showing that the demands presented are justified in the light of what similar industries are paying for similar jobs. Wage information can be gotten from various sources.

1. If your international union research department does analysis of contracts in effect, it can provide information on prevailing rates and benefits.

2. The AFL-CIO Research Department publishes Collective Bargaining Reports monthly which summarizes wage data.

3. The Bureau of Labor Statistics publishes wage surveys for the larger industrial centers around the country. These surveys have limited value since they average both union and non-union wages.

4. For some industries the Bureau of Labor Statistics publishes surveys on union wages.

5. Minnesota State Civil Service Department publishes an annual wage survey for the State of Minnesota.

6. Employer associations and trade associations do wage surveys in particular industries for specific areas. If the employer uses such a survey in negotiations, he is required to present the union with a copy.

7. Monthly publications. Monthly Labor Review published by Bureau of Labor Statistics and Employment and Earnings published by the Manpower Division of the Department of Labor gives average wages for each industry.

Collective Bargaining

B. Wage Increases granted in your craft and industry

Often it is simpler and more effective to present wage raises granted in similar industries to back up your demand for wage increases. This does not make it necessary to consider individual job classifications. Also, if you are leading some of the company's competitors, arguing for equivalent wage raise permits you to keep your relative position in the industry.

1. Bureau of Labor Statistics publishes information on wage increases negotiated. It also publishes Wage Chronologies--summaries of collective bargaining gains for single companies over long periods of time.

2. The AFL-CIO Collective Bargaining Report also publishes information on wage increases in collective bargaining agreements.

C. Cost of living and family budget increases

Increases in cost of living may be an effective argument for wage increases. The standard measure for cost of living increases is the Consumer Price Index. Cost of living increases (if you don't have escalator clauses in your contract) may prove to be effective in backing up wage demands. The CPI, however, does not give you actual cost of living but rather increases in cost. This limits the value of the CPI for collective bargaining purposes.

The City Worker's Family Budget developed by the Bureau of Labor Statistics in 1947 gives actual cost of a "modest but adequate" budget. This was adjusted by the Bureau in 1951 to reflect some of the changes in spending patterns. An appropriate adjustment can be made with CPI data to bring it up to date.

The Consumer Price Index can be gotten free each month by writing the Bureau of Labor Statistics, Washington, D.C.

D. Productivity

It is very difficult to use increased productivity per man hour as an argument for increased wages unless some pronounced changes in production methods have been adopted. Throughout industry productivity has increased steadily, but it is difficult for a union negotiating committee to make a case for increases productivity in its own firm.

E. Financial position of the company

In large companies where financial statements are published or stock dividends declared, it is possible to use this information.

If the company pleads inability to pay and consequently produces its financial statement, it is important to know how to interpret the statement in order to bargain wisely on this point.

Collective Bargaining

IV. Bargaining for Economic Fringe Benefits

Fringe benefits are considered as cost items and consequently bargained for in conjunction with wages. The strongest arguments are prevailing conditions in the industry. Whether fringe benefits are taken instead of wage increases depends in part on the desires of the members and in part on long range goals and policies of the union.

Some of these benefits are: vacations, holiday pay, premium pay, sick pay, leaves of absence, shift differentials, call-in or report-time pay, guaranteed employment.

V. Job Evaluation and Time Study in the Contract

Management rights: Management generally insists it has the right to use any method of setting job classifications and setting production standards. The actual procedures used may be determined by management without consulting the union. The union, however, becomes involved when workers are unjustly treated.

Union policy: There have been great differences between unions on their views toward job evaluation and time study. The needle trades unions, for example, have cooperated with management as partners in setting up incentive systems based on time study, whereas the International Association of Machinists has traditionally been opposed to use of job evaluation and time study.

A. Contract clauses on industrial engineering methods in the contract may provide that:

1. Time study and job evaluation manuals shall be included as supplements to the contract.

2. Joint committees of union and management shall be set up to handle the job evaluation and time study problems.

3. The company has the right to use job evaluation and time study techniques but requiring the company to consult with the union on major changes or introduction of these methods.

4. The company has the right to introduce standards whenever conditions demand.

B. Provisions for policing industrial engineering standards

Contract clauses may provide that:

1. The union has the right to file a grievance on any standard or classification at any time during the contract.

2. The union can file a grievance on any change in standards within a given period after the change has been made.

Collective Bargaining

3. The company must negotiate issues involving changes in standards.

4. The company must inform the union of any changes in standards.

5. Other sections of the contract may permit the filing of grievances on engineering standards, even if no specific clause is contained in the contract.

C. Arbitration of grievances arising from industrial engineering practices

Some contracts specify that job classifications and/or time standards are not subject to arbitration, others provide arbitration and some are silent on the question.

D. Reasons for recognizing industrial engineering practices in the contract

1. Management has the right to use these techniques. If the union fails to recognize this, it may be hampered in protection of members who may not be justly treated as a result of poor administration of the techniques.

2. If grievances concerned with job classifications, qualifications, or output go to arbitration, the union may have to present their case in light of the evidence the company presents from their industrial engineering studies.

3. Job evaluation may aid in ironing out inequities during negotiations.

E. Reasons for not accepting joint responsibility in administering industrial engineering techniques

1. Time and technical help required on the part of the union.

2. The techniques used are imperfect techniques. Not being directly involved leaves the union more free to deal with injustices which may arise under the system.

3. The union reserves its right as a policeman of the contract rather than a co-sponsor of certain provisions which vitally affect their members.

VI. Contract Provisions Safeguarding the Union

Negotiating these provisions depends on the relationship of the union and the company rather than on economic considerations. Wording these provisions to conform with the technicalities of the law is very important.

Citing prevailing practices may be helpful in bargaining. Summaries of the types of clauses in effect can be gotten from the Bureau of Labor Statistics and the Bureau of National Affairs. Model contracts which incorporate the policies of the international union or district office may be used to good effect.

A. Recognition

The recognition clause should define the unit and the jurisdiction of the unit. The description of the unit is especially important when there is no NLRB certification. Wherever the NLRB has certified the union, the description of the unit in the agreement should conform to the coverage of the Board certification.

B. Union shop provision

The union shop provision provides that after thirty days of employment all workers must become members of the union.

Maintenance of membership or modified union shop clauses also exist. They may provide that all workers who are members of the union at the time the contract is signed must remain members and that any new employees must become members after being employed for thirty days.

To be enforceable the union must have received a notice from NLRB of compliance with Sections 9 (f), (g), (h) of the Taft Hartley Law within the one year period before the signing of the union shop agreement.

Under a union shop contract the only condition under which a union can legally request the discharge of an employee is if the employee fails to pay dues or initiation fees. If the union is responsible for discharge of an employee under the union shop clause for any other reason, they are liable to suit for damages.

C. Unauthorized activity provision

Under the Taft Hartley Law--Sec. 301 (e)--the union may be held responsible for activities of its agents whether or not they were authorized to take part in or dondone particular activities. This is especially important in case of illegal strikes or secondary boycotts, in which cases the union can be sued for damages. Contract clauses specifying and limiting union responsibility in cases of unauthorized activity are an important protection.

D. Picket line clause

Sample Clause:

"The Company will not require the employees to cross any picket line established on or in front of the premises. The individual or concerted refusal to pass such picket line shall not constitute grounds for discipline, discharge or lay-off."

Comment: The use of this provision under the Taft Hartley Law is subject to interpretation. This does not guarantee that the union will be judged free from responsibility but does furnish arguments and defenses for refusal to cross picket lines.

Collective Bargaining

E. Unfair goods provisions

Sample Clause:

"The Company will not require the employees to use, process, transport or work on struck goods. The individual or concerted refusal to work on struck goods shall not constitute grounds for discipline, discharge or lay-off.

"A concerted refusal to work on struck goods shall not constitute a stoppage or strike within the meaning of this Agreement."

Comment: Sometimes this provision is called the "Hot Cargo" provision. Recently in a case involving trucking the U.S. Supreme Court held that this type of provision was valid and did not constitute an unfair labor practice on the part of the union.

VII. Provisions protecting the Contract

These provisions as in the above section are filled with legal technicalities. Success in negotiating them depends on the relationship of the union and the company. Citing prevailing practices may be helpful. Model contracts which reflect the policy of your international union or district may have a good effect.

A. Termination and reopening clauses

These clauses must be worded carefully or the union may be giving up its right to strike during negotiations. If there are flaws in the wording and the union goes on strike, they may be used for breach of contract under Title III of the Taft Hartley Act.

B. Separability and savings clauses

These clauses specify that if any provisions of the contract do not comply with the existing laws or are judged illegal that they will be renegotiated without affecting other parts of the contract.

C. Provisions in case of sale or transfer of ownership of the plant

Such clauses provide that the contract with the union shall be binding on all successors in the company. The provision may also cover future new plants in case of expansion or relocation.

VIII. Contract Provisions for Employee Security

A. Seniority provisions

Seniority provisions depend to a great extent on the operations of the particular company. Good seniority provisions have value for the company by cutting down labor turnover and decreasing frictions.

Collective Bargaining

Two general principles serve as guides for good seniority provisions:

1. Seniority should be as broad as possible -- covering as wide a section of the company's operations as practical.

2. Length of service should be the primary determiner in cases of promotion, transfer, layoff and rehiring.

   Many contracts provide that when ability to do the work is equal, length of service will be the determining factor.

   Other contracts specify that length of service will be the determining factor provided that individual with most seniority has the ability to perform the work.

   Provisions for a training period and the option of transferring back to old job after the learning period, if performance is not satisfactory, make possible the use of length of service as the sole determining factor.

   Exceptions to seniority can be written in for unusual circumstances.

B. Grievance procedures

The steps in the grievance procedure should parallel the lines of management. Number of steps will be determined by the size of the firm.

Things to keep in mind when negotiating grievance procedure:

1. Under the Taft Hartley Law the worker can present a grievance without the intervention of the steward or other union official. It is well to include a clause stating that the steward or shop committeeman shall be notified and permitted to attend at the processing of the grievance.

2. Avoid agreeing to provisions that are not covered by the grievance procedure.

3. The steward or shop committeeman should be included in processing of the grievance in the later steps when possible. This permits him to keep the members informed on progress and gives him an opportunity to learn more about his job as a steward.

C. Arbitration

Arbitration provisions usually include either a permanent arbitrator in the case of big companies or the procedures for selecting arbitrators.

Because of the wording of the contract, some grievances may be judged as not proper for arbitration; others may be specifically excluded.

D. Stewards' rights and privileges

The following provisions should be in the contract to protect the steward system:

1. Recognition of the steward as the individual accredited by the union to deal with all matters relating to grievances and interpretation of the contract.

2. Super seniority for the steward -- if a steward is laid off all the members under him could be jeopardized.

3. Steward should be paid for time lost while handling grievances. The steward by handling grievances is contributing to smooth operation of the plant.

4. The steward, with permission from his supervisor, should be free to leave his job and to go into any other part of the plant within the bargaining unit to bring about proper and expeditious disposition of a complaint or grievance.

E. Discharge and right of appeal provisions

The union should reserve the right to appeal all discharges through the grievance machinery. If the contract provides that such conduct as theft or drinking on the job are grounds for discipline, the clause should stress that the "penalty be commensurate with the 'crime'"--(although drinking on the job and theft are not condoned --taking one pencil should not carry with it a discharge penalty).

A provision should be included giving a discharged employee the right to see the steward before he leaves the plant.

Notices of discharges should be given to the steward by the company.

F. Leave of absence provisions

Such provisions protect the job and seniority of the individual who for acceptable reasons must take extended leave from his job.

G. Provisions against discrimination

Although discrimination may be illegal under existing law, these clauses permit filing of grievances where discriminatory practices exist.

INTERPRETING THE UNION CONTRACT

Introduction

Union contracts are developed during collective bargaining sessions. The clauses in a contract represent attempts to meet the problems workers face in their relationship with their employer. Many of the clauses may have been adapted from other contracts and inserted at one time or another during the time that the union and the company have been bargaining.

When reading and interpreting your contract, ask yourself these questions on each contract clause or section:

(1) What situation in the plant or what set of problems does this clause or sentence deal with?

(2) Are the conditions that led to adopting this clause still in existence?

(3) Does this clause cover all the kinds of things that could happen?

(4) Does this clause limit or restrict the union when trying to correct a just grievance of a worker?

Asking these questions and answering them will give new insights into your contract. Quite often, workers when discussing their contract will say: "We have no problems in such and such an area of labor relations." They are saying in effect, "We don't have to worry about providing for certain things in our contract until trouble arises." By careful analysis and interpretation of your contract you can avoid many problems. Management will be more likely during contract negotiations to make some changes in wording and other provisions in the contract when no dispute exists.

Also, since the development of a contract is a piecemeal process, some meaningless or conflicting statements may be inserted which can cause difficulties later.

Finally, much of labor relations in the area of the labor agreement rests on interpretation. It would be a comfortable feeling for the union to know that every minute detail is spelled out in the contract. In theory this may be fine but in practice it would prove to be a disadvantage. It is impossible to forsee every situation which may arise. A contract cannot adequately and fairly provide in specific terms for all situations. A good contract clearly covers the general areas of labor-management relations. It is recognized that in spite of being as precise as possible, situations will arise which need interpretation and many require use of the grievance procedures provided for in the contract. A negotiating committee may fail to get the best contract provisions by trying to be too specific.

Interpreting the Union Contract

In order to help in analysis of the contract in the following sections, the general areas of the contract coverage will be spelled out. These areas are:

(1) The area of maintaining the union

(2) The area of contract protection

(3) The area of protection for the individual employee

(4) The area of management rights and perogatives

(5) The basic economic area

(6) The area of paid leisure and personal time

(7) The area of social insurance and welfare

When going through your contract, it is well to write down on a piece of paper the conditions covered by your contract in each of these areas. Then make a list of items not included that you believe should be included. At this point you are ready to consider the demands for the next negotiations.

The Area of Maintaining the Union

Many of the clauses in this area are negotiated in the first contract and remain the same year after year. It is, however, in this area that changes in legislation or in NLRB interpretation may require changes in contract wording. It is wise to consult with an attorney who is competent in the field of labor law--especially, at the present time, since many changes in interpretation have been occurring. The following sections in a contract function for the preservation of the union:

a. Recognition of the Union

This clause establishes the right of the union to represent the workers...until such agreement is reached a union can represent the worker but the employer is under no obligation to listen or act.

Under recognition is usually a definition of the unit covered by the union, giving them exclusive bargaining rights. This protects the union against raids by other unions.

There should be a section giving jurisdiction over work performed. This protects the union against losing their membership if changes in operations occur. For example, skilled work may be replaced by machines that require an operator with different skills, say, a mechanic rather than a machinist.

b. Union Shop or Maintenance of Membership

This clause under the Taft-Hartley Act requires that the individual must be employed for 30 days before he can be required to join the union. Some contracts may specify longer periods than this. Maintenance of membership means that the worker who joins the union voluntarily must remain a member.

c. Check-off of Dues

This clause removes many headaches for the union and the stewards and leaves time for settling of grievances and other union business. Together with the union shop clause, it guarantees that everyone will be carrying his just part of the financial responsibility for the benefits he receives through the union.

d. Restraint Against Undermining Bargaining

Clauses stating that any changes in economic or working conditions must be bargained for through the union prohibits the employer from making changes for the benefit of the workers to demonstrate that a union is "not really necessary."

A clause prohibiting individual bargaining prevents the company from giving preferential treatment to individual workers covered by the contract and thus, help to maintain the fairness in treatment which is essential to union solidarity.

e. The Right of the Employee to Refuse to Handle Unfair Goods (Hot Cargo Clause)

At this time, the legality of such clauses in a contract is in question. Exactly, what constitutes a "secondary boycott" illegal under the Taft-Hartley law is being tested in the courts and clarified by NLRB rulings.

f. The Right of the Employees to Refuse to Cross a Picket Line

This protects the traditional solidarity within the labor movement and is of special importance in industries in which other unions have jurisdiction or if the job takes employees to other shops.

g. Non-liability for Unauthorized Activities

At times, unexpected and unauthorized strikes may occur. Under the Taft-Hartley law, the union may be held financially responsible. It is wise to state specifically that the union cannot be held liable for unauthorized activities.

h. Plant Inspection Privileges

This provision is important, since it may be crucial at times that the officials of the union come into the place of employment of members, either to get details on a grievance or to inspect safety or sanitary conditions.

i. Hiring Through the Union

Added protection is given to the members if the union has opportunity to place its unemployed members. However, there is some question under the Taft-Hartley law about what is called "preferential hiring".

The most important sections in this area of the contract are the Regognition Clause, the Union Shop, the Unauthorized Activities Clause, and Picket Line and Hot Cargo clauses.

The Area of Contract Protection

This area of the labor agreement is filled with legalities and will also reflect changes in labor legislation and NLRB decisions. A contract which cannot be enforced or can be circumvented is not effective.

The following provisions, if clearly spelled out, help to secure the contract:

a. Termination Provisions and Re-negotiation Procedures

b. Reopening Provisions

c. Retroactivity Provisions

On above provisions, be sure to learn what the present rulings are before drafting the clauses. Unless the wording is clear, you may unduly limit your right to strike during this period.

d. Successor or Sale of Physical Assets

e. Contract Invalidation by Law or Court Decision

The two provisions above, protect the total contract. In (d) if the company changed hands during this period the contract was in effect the contract would be binding on the new employer. In the case of (e) any section that is ruled as not legal by a court or is affected by changing legislation can be renegotiated without affecting the other parts of the contract.

f. Maintenance of Standards

This clause aims at protecting the existing conditions in the plant -- permitting the union to argue from past practices.

The Area of Protection for the Individual Employee

In this area are the provisions that are used in the day-to-day operation of the contract. These provisions deal with the relationships between the individual and the company and must be administered with skill and fairness. The steward is primarily concerned with these provisions.

a. Grievance and Arbitration Procedures

Without a grievance procedure a union contract would be of little value. The better the grievance procedure the more effective the contract will be, since grievances can be handled with greater speed and justice. An Arbitration Clause provides for a final disposition of grievances arising during the contract.

b. Establishment of Steward System

The grievance procedure is of very little value if there is no one to process the grievances or if company rules and regulations make it difficult for a steward to function. A clause in the contract should establish the rights of the steward and make possible his efficient functioning.

c. Seniority Provisions

These provisions are the most difficult to negotiate and of extreme importance. They depend in part on the functioning and organization of the plant and consequently require a great deal of knowledge of how the firm or industry functions. Seniority clauses spell out the individual member's rights to his job, for advancement, or transfer depending on his years of service with the company.

d. Discharge and Right of Appeal

A company may wish to keep the right of discharge unilaterally determined by company rules. Although the union will not wish to support violation of accepted rules, it will want to reserve the right to judge the rules and whether the worker is justly accused.

e. Leave of Absence Provision

Two types of considerations are involved in Leave of Absence--one is what reasons are considered legitimate and for what duration can leaves be granted and secondly, what happens to the individual's seniority rights. In recent years, military leave is prevalent. This is covered in part by law but should be recognized in the contract as well.

f. Job Description, Job Classification and Time Study Provisions

These clauses deal with the right of the union to contest and police Industrial engineering practices. They protect the workers against down-grading, unfair standards and performing work at reduced rates of pay. The actual point of view depends on the philosophy of the particular union. The policy should be carefully thought out in terms of long range effects.

g. Technological Change Provisions

Many of the effects of technological change must be provided for in other sections of the contract such as seniority and Industrial Engineering provisions. A special clause requiring a notice of plans at least, or joint negotiations on the effects of change should be stated in this clause.

h. Sanitary and Safety Provisions

Clearly stated in the contract, provisions on safety clearly define the union's role in maintaining good working conditions.

i. No Discrimination Provisions

Although many of the provisions of a labor contract are aimed at prohibiting discrimination -- a specific clause makes it easier for a union to enforce non-discrimination.

j. No Lock-out Provision

This provision prevents the company from shutting down the plant in order to bring pressure for settlement of differences between employer and union.

The Area of Management Rights and Perogatives

Generally, managements rights exist in areas not covered by the union contract. His chief concern is achieving stability of operations so that he can make a profit over a period of time. This, of course, is in part the workers concern too and so in many clauses employer rights are implied. However, in some cases the employer may wish to have certain rights specified. Some of these rights are as follows:

a. Protecting the Employer's Right to Manage and Direct the Business.

This is generally accepted as an employer's right except where specific areas are mentioned in the contract for joint determination.

b. Improving the Efficiency of the Work Force

The union should reserve the right to use the grievance machinery to appeal unjust hardship that may arise as a result of changes to improve efficiency.

c. The Right of the Employer to Hire and Fire

Here one of the basic goals of the union, job protection for the individual is involved. The union should reserve the right to sit in judgment in cases of firing or lesser discipline.

d. No-strike Provision

When an arbitration clause is in effect, generally, this is considered the final step for resolving disagreement. There may be some situations, however, where the union may wish to reserve the right to strike.

e. Union Assistance in Ending Unauthorized Strikes

If the union agrees that there shall be no strike during the life of the contract, its leaders must try to prevent or to assist in ending unauthorized work stoppage. This assumes that the company abides by the decision of an arbitrator when used.

The Basic Economic Area

This area of the contract is the most straightforward, and may include the following provisions:

Hiring in Rates of Pay
Basic Job Rates of Pay
Progression Schedules
Basic Work Day and Week
Premium Pay Provisions
Call in Pay Provisions
Guaranteed Hours (Day,Week, Year)
Cost-of-Living Provisions
Deferred Increase Schedules
Designation of Pay days.

The Area of Paid Leisure and Personal Time

This area of the contract depends on the social philosophy of the union and its members and recognizes the worker as a social being. Generally, these benefits are given instead of wage increases. They may also be viewed as rewards for longer service or improved efficiency.

Included in this area are:

Paid Vacations
Paid Holidays
In Plant Rest Periods
Funeral Leave Pay
Jury Duty
Paid Voting Time

The Area of Health and Welfare

Health and Welfare benefits are negotiated in place of cash wages. Including these benefits as part of negotiations has the advantages of providing services at reduced cost to employees. Included in this area are:

Prepaid Medical Care
Hospitilization Insurance
Sick and Accident Benefits
Life Insurance
Pension and Permanent Disability Benefits
Sick Leave
Prepaid Dental Care
Maternity Care and Benefits

If the company grants any of these benefits it is to the union's advantage to incorporate them into the contract and include them as part of bargaining since they will be considered by the company as cost items.

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INFORMATION CONCERNING AMERICAN UNIONS

(Statistics, Structure, Affiliations, and Industries)

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INTRODUCTION:

The material in this summary has been drawn largely from the bulletins[1] issued by the Bureau of Labor Statistics, (B.L.S.), Division of Wages and Industrial Relations. The information presented in these bulletins are based on questionnaires returned to the B.L.S. and estimates based on per capita payments, Bureau of Labor Management Reports forms, and financial statements of unions qualifying as national unions. A union is considered national in scope if it has collective bargaining agreements with different employers in more than one state.

The statistics and the charts contained herein should be helpful in understanding the structure, size and affiliations of American unions.

[1] Bulletins number 1320, 1267, 1222, 1185, 1127.

TOTAL UNION MEMBERSHIP[1]

	AFL-CIO Affiliates		Unaffiliated		Total	
	U.S. Membership	Total Membership	U.S. Membership	Total Membership	U.S. Membership	Total Membership
1960	14,023,000	15,071,925	2,901,000	3,044,635	16,925,000	18,116,560
1959		15,124,393		3,044,351		18,168,744
1958	13,881,000	14,992,551	2,904,000	3,088,016	16,786,000	18,080,567
1957		16,954,457		1,476,133		18,430,890
1956	15,813,000	16,904,328	1,420,000	1,572,862	17,233,000	18,477,190
1955[2]		16,061,768		1,687,540		17,749,308
1954	15,061,000	15,931,000	1,657,000	1,826,000	16,718,000[3]	17,757,000

[1] Includes foreign, Canadian, and federally charted members, excludes independent unions not qualifying as National unions.

[2] Prior to 1955 the AFL and the CIO were separate organizations.

[3] Excludes federally chartered members.

DISTRIBUTION OF UNIONS BY THREE INDUSTRIAL GROUPS

GOVERNMENT

Federal, State, and local:

Building Service[1]
Federal Employees (N.F.F.E.)
Fire Fighters
Government Employees (A.F.G.E.)
Letter Carriers, National Association of
Letter Carriers, Rural
Messengers, Special Delivery
Post Office and General Services
Post Office Motor Vehicle
Post Office and Postal Transport
Postal Clerks, United Federation
Postal Employees
Postal Supervisors
Postal Union, National
Postmasters League
Siderographers
State, County and Municipal
Teachers

NON-MANUFACTURING

Building Trades:

Asbestos Workers
Bricklayers
Carpenters
Electrical Workers (I.B.E.W.)
Elevator Constructors
Engineers, Operating
Granite Cutters
Hod Carriers and Laborers
Iron Workers
Lathers
Marble, Tile, Mosaic Workers
Metal Polishers
Painters
Plasters'
Plumbers
Roofers
Sheet Metal Workers

[1]The majority of members work in private industry, however, a substantial number are employed by governmental bodies.

NONMANUFACTURING (cont.)

Transportation:

A) Railroads
Operating Brotherhoods
- Locomotive Engineers (B.L.E.)
- Locomotive Firemen and Engineers (B.L.F.& E.)
- Railroad Trainmen (B.R.T.)
- Railway Conductors and Trainmen (O.R.C. & B.)
- Switchman's Union of North America (S.U.N.A.)

Non-operating Brotherhoods
- Boilermakers
- Firemen and Oilers
- Machinists
- Maintenance of Way
- Porters
- Railroad Signalmen
- Railroad Telegraphers
- Railroad Yardmasters
- Railroad Yardmasters (RYNA)
- Railway Carmen
- Railway Employees
- Railray Patrolmen
- Railway and Steamship Clerks
- Railway and Airline Supervisors
- Railway Trainmen and Locomotive Firemen
- Train Dispatchers

B) Airlines
- Air Line Dispatchers
- Air Line Pilots
- Communication Workers
- Flight Engineers
- Machinists
- Railway and Steamship Clerks

C) Maritime
- Longshoremen (I.L.A.)
- Longshoremen and Warehousemen (I.L.W.U.)
- Marine Engineers
- Maritime Union
- Masters, Mates and Pilots
- Seafarer's
  - Atlantic, Gulf, Lakes and Inland Water District
  - Inland Boatmen's Union of the Pacific
  - Marine Cooks and Stewards Union
  - Pacific Coast Marine Firemen
  - Sailors Union of the Pacific

D) Municipal Carriers
- Street, Electric Railway Employees
- Transport Workers

E) Trucking
- Chicago Truck Drivers
- Newspaper and Mail Deliverers
- Teamsters

MEMBERSHIP AND RANK OF 20 LARGEST AMERICAN UNIONS, 1960

Union	Membership	Locals
Teamsters (Independent)- Ind.	1,484,433	897
Steelworkers	1,152,000	3,006
Automobile Workers	1,136,140	1,247
Machinists	898,139	1,993
Carpenters	800,000	3,000
Electrical (I.B.E.W.)	771,000	1,744
United Mine Workers (Ind.)[1]	600,000	1,700
Ladies' Garment Workers	446,554	492
Hotel and Restaurant Workers	443,000	568
Hod Carriers	442,473	943
Clothing Workers	377,000	601
Retail Clerks	342,000	400
Meat Cutters	333,482	413
Railway and Steamship Clerks	300,000	1,835
Engineers, Operating	291,000	363
Electrical (I.U.E.)	287,937	525
Building Service	272,000	381
Musicians	266,618	685
Communication Workers	259,917	759
Plumbers	251,273	750

[1] Estimated by B.L.S.

Membership and Rank of 20 Largest American Unions, 1958.

Union	Membership	Locals
Teamsters (Ind.)	1,418,246	889
Automobile Workers	1,027,000	1,286
Machinists	992,689	2,080
Steel Workers	960,000	2,995
Carpenters	835,000	3,000
Electrical Workers (I.B.E.W.)	750,000	1,753
Mine Workers (Ind.)	600,000	---
Hod Carriers and Laborers	476,901	955
Ladies Garment Workers	442,901	526
Hotel and Restaurant Workers	436,315	566
Clothing Workers	376,000	639
Railway and Steamship Clerks	360,899	1,938
Meat Cutters and Butcher Workmen	325,304	495
Retail Clerks	305,000	400
Engineers, Operating	280,000	400
Electrical Workers (IUE)	278,281	497
Musicians	262,882	685
Building Service	260,000	437
Plumbers	255,800	760
Communications Workers	255,365	735

MEMBERSHIP AND RANK OF 20 LARGEST AMERICAN UNIONS, 1956.

Union	Membership	Locals
Teamsters (Ind.)	1,368,082	893
Auto Workers	1,320,513	1,255
Steel Workers	1,250,000	2,800
Machinists	949,683	2,076
Carpenters	850,000	3,000
Electrical Workers (I.B.E.W.)	675,000	1,720
*Mine Workers (Ind.)	*600,000	--
Hod Carriers and Laborers	465,923	533
Ladies Garment Workers	450,802	602
Hotel and Restaurant Workers	441,000	457
Electrical Workers (I.U.E.)	397,412	956
Clothing Workers	385,000	639
Railway and Steamship Clerks	350,000	1,967
Meat Cutters and Butcher Workmen	310,000	500
Retail Clerks	300,000	400
Communications Workers	259,000	737
Musicians	256,851	690
Plumbers	243,763	757
Building Service	230,000	368
Maintenance of Way	225,000	1,425

*Estimated membership, Mine Workers did not report membership in 1956.

MEMBERSHIP AND RANK OF 20 LARGEST AMERICAN UNIONS, 1954

Union	Membership	Locals
Auto Workers	1,239,000	1,250
Teamsters	1,231,000	907
Steelworkers	1,194,000	2,600
Machinists	864,095	1,957
Carpenters	804,343	2,895
Electrical (I.B.E.W.)	630,000	1,697
*		
Ladies Garment Workers	440,650	525
Hod Carriers and Communication Laborers	433,125	945
Hotel and Restaurant	412,946	615
Clothing Workers	385,000	636
Electrical (I.U.E.)	361,639	393
Meat Cutters and Butcher Workmen	335,167	417
Communications Workers	300,000	717
Railway and Steamship Clerks	293,500	1,988
Textile Workers	292,500	781
Retail Clerks	265,000	500
Musicians	248,078	699
Plumbers	240,720	759
Painters	220,000	1,400
Maintenance of Way	219,191	1,437

*Mine Workers did not report membership and no estimate was made for 1954.

Membership and Rank of 20 Largest American Unions, 1952

Union	Membership	Locals
Automobile Workers	1,184,507	1,150
Steel Workers	1,100,000	2,300
Teamsters	1,000,000	900
Carpenters	750,000	2,925
Machinists	699,298	1,886
Mine Workers (Ind.)	600,000	---
Electrical Workers (I.B.E.W.)	500,000	1,600
Hotel and Restaurant Workers	402,000	650
Garment Workers	390,000	495
Hod Carriers and Laborers	386,000	930
Clothing Workers	385,000	597
Textile Workers	361,970	896
Communications Workers	300,000	700
Railway and Steamship Clerks	300,000	1,959
Retail Clerks	250,000	500
Musicians	242,167	700
Painters	208,189	1,410
Railroad Trainmen (Ind.)	206,813	1,083
Plumbers	201,343	800
Street, Electric Railway	200,000	464

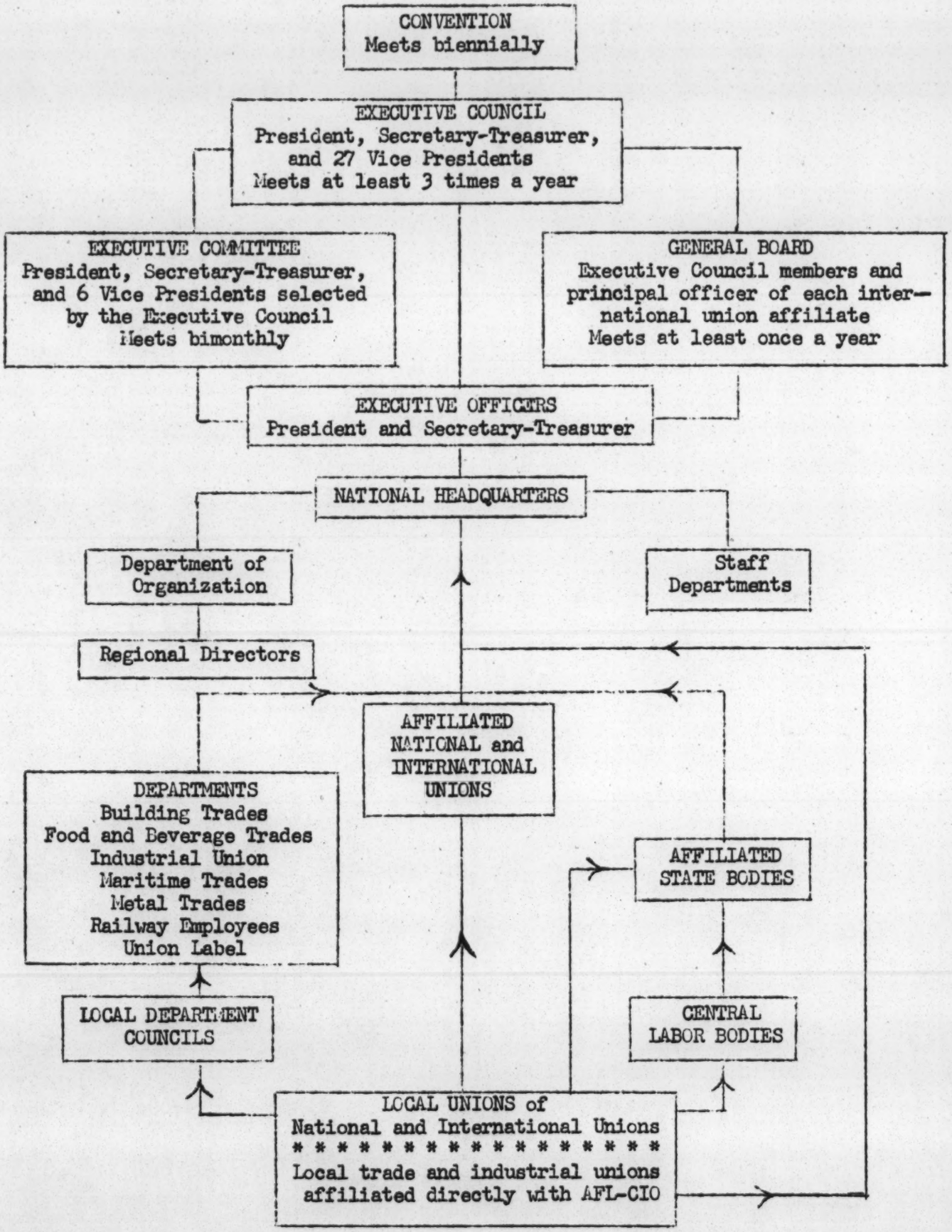
DISTRIBUTION OF NATIONAL UNION MEMBERSHIP BY INDUSTRY GROUP: 1956 - 1958 - 1960

	1956		1958		1960	
	No. of Unions	Membership	No. of Unions	Membership	No. of Unions	Membership
ALL UNIONS	187	18,104,000	186	17,968,000	184	18,037,000
MANUFACTURING	111	8,839,000	108	8,359,000	106	8,591,000
Food, beverages, and tobacco	---	---	21	1,029,000	22	1,043,000
Clothing, textiles, and leather products	---	---	22	1,228,000	23	1,219,000
Furniture, lumber wood products and paper	---	---	17	775,000	25	882,000
Printing and Publishing	---	---	16	346,000	17	350,000
Petroleum, Chemicals and Rubber	---	---	17	540,000	21	546,000
Stone, clay and glass	---	---	15	251,000	15	249,000
Metals, machinery and equipment except transportation equp.	---	---	32	2,700,000	38	2,891,000
Transportation equip.	---	---	17	1,255,000	18	1,323,000
Manufacturing (not classifiable)	---	---	26	235,000	21	147,000
NON-MANUFACTURING.	165	8,350,000	100	8,574,000	103	8,375,000
Mining and quarrying	13	518,000	13	622,000	11	598,000
Contract construction	22	2,123,000	26	2,324,000	23	2,271,000
Transportation	50	2,727,000	49	2,712,000	48	2,566,000
Telephone and telegraph	6	428,000	6	409,000	6	412,000
Electric and gas utilities	15	323,000	13	259,000	14	275,000
Trade	17	883,000	15	852,000	17	846,000

	1956		1958		1960	
	No. of Unions	Membership	No. of Unions	Membership	No. of Unions	Membership
NON-MANUFACTURING (cont.)						
Finance and Insurance	5	51,000	5	104,000	5	72,000
Service Industries	31	1,222,000	29	1,240,000	31	1,281,000
Agriculture & Fishing	6	76,000	3	33,000	6	52,000
Non-manufacturing (not classifiable)	---	---	3	19,000	5	8,000
GOVERNMENT						
Federal, state and local	34	915,000	41	1,035,000	41	1,070.000

[1] Total membership figures vary from reported figures because they are based on reported percentages.

NOTE: The first column is not additive: many unions have membership in more than one industrial classification.


CONVENTION
Meets biennially
EXECUTIVE COUNCIL
President, Secretary-Treasurer, and 27 Vice Presidents
Meets at least 3 times a year
EXECUTIVE COMMITTEE
President, Secretary-Treasurer, and 6 Vice Presidents selected by the Executive Council
Meets bimonthly
GENERAL BOARD
Executive Council members and principal officer of each international union affiliate
Meets at least once a year
EXECUTIVE OFFICERS
President and Secretary-Treasurer
NATIONAL HEADQUARTERS
Department of Organization
Staff Departments
Regional Directors
AFFILIATED NATIONAL and INTERNATIONAL UNIONS
DEPARTMENTS
Building Trades
Food and Beverage Trades
Industrial Union
Maritime Trades
Metal Trades
Railway Employees
Union Label
AFFILIATED STATE BODIES
LOCAL DEPARTMENT COUNCILS
CENTRAL LABOR BODIES
LOCAL UNIONS of
National and International Unions
* * * * * * * * * * * * * * * * * *
Local trade and industrial unions affiliated directly with AFL-CIO

NUMBER OF WHITE COLLAR[1] AND WOMEN MEMBERS: 1952 - 1960

	White Collar		Women	
	Membership	No. Unions Reporting Members	Membership	No. unions Reporting Members
1960	2,192,000	84	3,304,000	136
1958	2,184,000	75	3,274,000	137
1956	2,463,000	89	3,400,000	137
1954[2]	---	--	2,950,000	146
1952	---	--	2,900,000	170

[1]White collar figures at best must be considered rough estimates because most unions do not keep separate records for white collar members as apposed to blue collar workers. This is especially true of the year 1956.

[2]1956 was the first year white collar figures were gathered.

TOTAL[1] COLLECTIVE BARGAINING AGREEMENTS[2]

	AFL-CIO Affiliates	Unaffiliated	Total
1960	118,729	7,733	126,462
1958	125,937	5,021	130,958
1956	106,900	3,500	110,400
1954	Not available	Not available	125,000[3]

[1]Total does not include various supplements, pension, or health and welfare agreements as separate documents.

[2]Between 15-20 unions comprised largely of governmental employees do not have collective bargaining agreements with their employers.

[3]Estimated by the B.I.S.

Discussion Outline on:

LOCAL UNION ADMINISTRATION

1. Why do workers join unions?

2. How many union members are there in the U.S.?

3. How many national and international unions?

4. How many local unions are there in the U.S.?

5. How many local unions are there in Colorado?

6. What affiliations do most local unions have?

7. How is the dues dollar divided?

8. How are policies made in local unions?

9. Who "runs" the local union?

10. What kinds of activities do local unions engage in?

(See next page)

UNION ACTIVITIES AND RELATED PROBLEMS

Listed below are some of the kinds of activities engaged in by local unions and problems often encountered with these activities. The first three: 1) Running the local, 2) Collective Bargaining, and 3) Settling Grievances, are basic functions for all unions. How many of the other activities are undertaken depends upon the size of the local, the interests of the membership, the financial resources, and the available leadership. Obviously, a local with only 50 members cannot undertake as wide a range of activities as a local of 3,000. The related problems listed are merely suggestive and are not intended to be all-inclusive.

UNION ACTIVITIES	RELATED PROBLEMS
1) Running the Local ("Union Housekeeping")	Keeping Records Correspondence Staffing Administrative Decisions Budgeting Income & Expenditures Democratic Procedures Ethical Practices Membership Participation
2) Collective Bargaining	Selecting the Bargaining Committee Deciding on Demands Ranking the Demands Gathering the Data for Bargaining Economic Information Industry Information Legal Information Special Problem Areas *Automation *Incentives *Job Evaluation *Health & Welfare *Seniority Compromise Conciliation and Mediation

8) Communication	
Internal (Within the Union)	Upward Communication Downward Communication What Methods are Most Effective? What Subjects are Most Important? _____ _____
External (Outside the Union)	Why? Public Relations Program Union Publications "Letters to the Editor" _____ _____
9) Participation in Public Affairs	
In the Community	Civic Affairs, PTA, etc. Community Services F.E.P.C. Programs _____ _____
In the State	Tax Programs Educational Policies _____ _____
In the Nation	Domestic Policies Foreign Policies Full Employment Programs Medical Care Retraining & Relocation Programs Civil Rights _____ _____
In the World	Policy on Foreign Aid Policy on International Trade "Peace or War" _____ _____

10) Membership Services and Benefits

Insurance
Credit Unions
S.U.B.

_____

_____

---

11) Research

What are Most Important Problems?
How Do You Conduct the Research?

_____

_____

---

12) _____ (Other)

_____

_____

_____

_____

---

13) _____

_____

_____

_____

_____

WHAT DO YOU THINK? . . . . . .

What we think, what opinions we hold, what we believe is largely the result of what we have learned and what we have experienced. Our home, school, church, friends, and the media of communication such as newspapers, radio, and television all contribute to forming the opinions we hold.

The questions which follow deal with a variety of issues. Please do NOT sign your name, but do frankly record your opinions. The combined answers of a group help provide a picture of the range of opinions of various issues and can be of help in planning educational programs.

1) What do you consider the three major problems facing your community?

_____

_____

_____

2) What do you consider the three major problems facing the state?

_____

_____

_____

3) What are the three major problems facing the nation?

_____

_____

_____

4) What are the three major problems facing the world?

_____

_____

_____

5) What are the three major problems facing local unions?

_____

_____

_____

6) What are the three major problems facing the labor movement at the national level?

_____

_____

_____

7) Are the schools in your community overcrowded? Yes___ No___ Don't Know___

8) Are more teachers needed in your schools? Yes___ No___ Don't Know___

9) I think teachers' salaries are (check one) _____too low
_____about right
_____too high

10) In case of increasing unemployment, should the Federal Government take steps to stop it? Ues_____ No_____ No Opinion_____

If "Yes", what would you suggest?
_____Retraining and relocation of workers
_____Massive public works projects; schools, roads, hospitals, etc.
_____Reduce taxes on corporations
_____Reduce income taxes for individuals
_____Increase military spending
_____Have the government run idle factories to provide jobs
_____Cut interest rates
_____Raise tariffs on imports
Other (write in) _____

11) Should we trade non-military goods with Communist countries? Yes_____ No_____
Do you think such trade would increase employment in the United States?

Yes_____ No_____ No opinion_____

12) Do you think high tariffs on imports -- (check one)

_____Make conditions better for American workers
_____Make things worse
_____Have little effect

13) Do you think strikes are usually called for a good reason?
Usually, yes_____ Usually, no_____ Other_____

14) Should the TVA (Tennessee Valley Authority) be sold to private power companies?
Yes_____ No_____ No opinion_____

15) Should we consider turning the postoffice system over to private business?
Yes_____ No_____ No opinion_____

16) What do you think should be the major goals of public colleges and universities? Put a "1" ahead of all the goals you consider very important, a "2" ahead of all the goals you consider somewhat important, and a "3" ahead of the goals you consider to be unimportant.

_____To train people in specialized skills so they can increase their earning capacity.
_____To train people in specialized skills so they can be of greater service to industry.
_____To provide an education so people will understand more of what is going on in the world and can make a greater contribution to society.
_____To train people to do basic research.
_____To help maintain the existing social order.
_____To train people to do logical thinking and to seek the truth no matter where that may lead.
_____To teach people "how" to think rather than "what" to think.
_____To concentrate on developing the students with the greatest intellectual capacities.
_____To give every student the opportunity to improve himself as much as possible - so long as he applies himself.
Other_____

17) What percent of the people in the deep south do you think are prejudiced
Against Negroes _____% Against Jews _____% Against Indians _____%

18) What percent of the people in Colorado do you think are prejudiced
Against Negroes _____% Against Jews _____% Against Indians _____%

19) How important do you think it is for the United States to be the first to land a man on the moon? Very important _____ Important_____ Not important _____

20) Who do you think will be the first to get to the moon? United States _____
Soviet Union _____ England _____ Israel _____ France _____ Other _____

21) How much money per year do you think that the United States should spend on the exploration of space?

_____ $ 10,000,000
_____ $ 100,000,000
_____ $1,000,000,000
_____ $3,000,000,000
_____ $ 5,000,000,000
_____ $10,000,000,000
_____ $20,000,000,000
How much do you think we are spending this year $_____

22) Should we continue to give economic aid to communist countries such as Jugoslavia and Poland? Yes _____ No _____ No opinion _____

USE OTHER SIDE FOR COMMENTS

- - - - - - - - - - - - - - -

Prepared by W. H. Uphoff
CLEAR, University of Colorado -

HELPFUL INFORMATION FOR WORKERS EMPLOYED BY PRIVATE CONTRACTORS ON GOVERNMENT JOBS

1) IN WHAT WAYS ARE LABOR STANDARDS ON GOVERNMENT CONSTRUCTION JOBS PERFORMED BY PRIVATE CONTRACTORS REGULATED BY FEDERAL LAWS?

The laws regulating labor standards on government contracts are the Prevailing Wage Law (Davis -Bacon Act, 1931), the Anti-Kickback Law (Copeland Act, 1934) the Eight Hour Law (1892 as amended) and the Contract Work Hours Act (1962).

2) IS THERE A SPECIFIED MINIMUM WAGE SET FOR CONSTRUCTION WORKERS BY THESE LAWS?

The laws require payment by contractors and sub-contractors of wage rates determined by the Secretary of Labor to be prevailing in the loaclity on construction, alteration, or repair of public buildings or public works performed under contract with the Federal government, or any construction performed for state agencies using Federal funds.

3) HOW IS THE PREVAILING WAGE RATE DETERMINED?

Before a contract is awarded the Department of Labor, at the request of the government agency for whom the work is to be done, determines the prevailing wage rate for each class of labor involved in the locality where the work is to be performed. These rates are based on information on wages paid for similar work in the locality submitted by interested parties or obtained at a hearing conducted by a Labor Department referee. Minimum wages thus determined are included in the specifications of the contract. These rates must be posted in a conspicuous spot at the site of the work and must be paid in full at least once a week, without subsequent deduction or rebate.

4) WHAT PROVISION IS MADE FOR OVERTIME WORK?

Any work performed in excess of 8 hours per day or 40 hours per week must be paid a minimum of time and one-half the basic minimum wage for the type of work performed.

5) WHAT IS THE PREVAILING WAGE RATE FOR COLOARDO?

At the present time the prevailing wage rate for all areas of Colorado is union scale.

6) IF A WORKER IS HIRED AT ONE WAGE CLASSIFICATION AND THEN IS REQUIRED TO PERFORM DUTIES IN A HIGHER CLASSIFICATION, AT WHICH RATE MUST HE BE PAID?

A worker must be paid at the specified rate for the work he is actually performing regardless of his skill in the job.

7) IF A WORKER IS PERFORMING WORK AT A LOWER CLASSIFICATION DURING PART OF THE DAY AND IS THEN CHANGED TO A HIGHER CLA SIFICATION JOB AT WHAT RATE IS HE PAID?

The worker must be paid the higher rate for the time he actually works at the higher rate job.

8) IS THE RATIO OF APPRENTICES TO JOURNEYMEN REGULATED BY FEDERAL LAW?

Apprentices are permitted to work as such only when they are individually registered under a bona fide apprenticeship program recognized with a state apprenticeship agency which is registered with the Bureau of Apprenticeship and Training, U. S. Department of Labor. The allowable ratio of apprentices to journeymen shall not be greater than the ratio permitted to the contractor under the registered program. Any employee who is not so registered shall be paid the specified wage rate for the work he actually performed. The contractor is required to furnish written proof of the registration of his program and apprentices as well as the appropriate ratios and wage rates before using any apprentices on the contract work.

9. MAY A WORKER AGREE TO WORK FOR LESS THAN THE REQUIRED RATE OR VOLUNTARILY REFUND PART OF HIS WAGES?

No, the prevailing rate must be paid. This may not be used as a defense by the contractor for paying lower wages.

10) HOW ARE UNPAID WAGES COLLECTED?

If the specified wages are not paid each week, the worker should file a complaint with the representative of the contracting agency or the Solicitor of Labor. The Solicitor for Colorado (as of May 15, 1964) is Henry Mahlman, 311 Equitable Building, Denver. His phone number is 534-4151.

If the Government agency finds the complaint valid it will call upon the Comptroller General to withhold payments from the contractor and to pay unpaid wages directly to employees out of these funds. If the amount withheld is not enough to pay all wages due the workers may sue the contractor or his bond for performance of the contract.

11) IS THERE ANY SPECIFIC FORM TO FILL OUT IN REGISTERING A COMPLAINT?

No, but be sure you have all the facts including names, dates, time, etc. Do not file complaints without supporting information.

12) WILL THE FILING OF A COMPLAINT ENDANGER MY JOB?

All complaints are kept confidential by the Department of Labor and no information is disclosed without the permission of the complainant.

13) WHAT PENALTIES MAY BE IMPOSED UPON THE CONTRACTOR FOR VIOLATING THESE PROVISIONS?

There are three possible penalties that may be imposed:

1. Withholding of payment to the contractor by the Comtroller General.
2. No award of government contracts to the violator for a period of three years.
3. Cancellation of the contract with any extra cost incurred charged to the original contractor.

THE LEVELS OF GOVERNMENT AND HOW THEY FUNCTION

I. Local Government

The County

The county is the most universal form of government in the United States. All states, with the exception of Rhode Island, have county government. In spite of this there is no common form of county government organization. The only agency that comes close to being a common central governing body is the county board.

There are two main types of county boards. One is made large by allotting one or more representatives to every town or township and to every city ward within the county. This type consists of from 40 to 85 members. The other type is a board consisting of a very few members, usually three, but sometimes five or six, elected by the county voters at large.

The presiding officer, commonly called commissioner, has no regular vote or veto, and his status as chairman is determined sometimes by the board members and sometimes by the voters. He seldom has any more power than his associates on the board.

The county board is both a policy making and an administrative agency. It normally has the responsibility for the construction and maintenance of county buildings and roads, the management of county equipment and property, and the letting of contracts in behalf of the county. It has important financial powers and duties and often has the power to set tax rates and assessments.

Other county officers who are generally elected include the sheriff, tax collector, treasurer, county attorney, and the school board. Many of these officials serve on a part time basis with the office holders carrying on a private law practice or business.

Although many authorities believe that the county will soon be replaced by other levels of government, it is becoming more and more important in serving rural constituents, developing community interests, and increasing the citizens participation in government.

The City

Unlike the structure of the county, that of the city can be placed in one of four major categories: the weak mayor plan, the commission plan, the council-manager plan, and the strong mayor plan.

The Weak Mayor Plan

The weak mayor plan is the most typical. In this model the legislative body is often called the board of aldermen or the city council. The city council is usually not very large and may range from 9 to 50 members with the average being around 20. In a weak mayor system almost all legislative and some administrative functions are lodged with the council. The council makes the budgets, enacts the ordinances, and often appoints city officials.

In addition to the councilmen there is the mayor, elected by the voters of the entire city. He is the chief executive of the city and its ceremonial head. In a weak mayor plan he has very little administrative power, and often has no veto power over city ordinances nor appointive power over city officials.

Under this system the mayor's personality and political party influence will determine whether or not he has greater administrative or legislative power than appears on paper. A mayor with a strong personality may be able to impose his policies on a weaker city council.

The increasingly complex problems of city government have often shown the weak mayor system to be inefficient and unsatisfactory. For this reason many cities have abandoned this form of government.

The Commission Plan

The commission plan was first established in 1901 after a disastrous tidal wave in Galveston, Texas demonstrated the shortcomings of the weak mayor plan.

The city commission consists of from three to seven members, usually five, who are elected at large, one of them being chairman and ceremonial mayor. The commission as a deliberative body formulates policy much in the same manner as a council, and each member is administratively responsible for the management of a specific department, such as finance, public works, public safety, etc. As long as all members are in agreement the government may run smoothly, but deadlocks can greatly disrupt leadership. Other problems with this plan include the difficulty of the voters to fix responsibility for the commission's actions and the fact that the election of a person to the commission does not necessarily qualify him to be a department head. Moreover, commissioners may tend to trade votes for the advantage of the agencies over which they preside and thereby cause budgeting difficulties and an over-all imbalance in the program. For these reasons reorganization experts have turned to the council-manager or the strong mayor plans as a more efficient way of meeting the growing demands of the modern American city.

The Council-Manager Plan

Essentially the council-manager system is this: voters elect the city council which has two main functions--first, to be a legislative body and second to pick an expert who will manage the city. This expert is a single administrative head, answerable to the city council for all policies, but with complete responsibility for the administration of the city. He alone may appoint department heads and remove them and thus has clear administrative authority and freedom of action. The manager is an expert who is supposedly free from any political connections in the city. The major advantage of this system over the weak mayor and commission plans is that, in the manager, city government has a person who plans for the city as a whole and coordinates its various functions.

The Strong Mayor Plan

In the typical strong mayor type of government, legislative authority is given to the city council elected either by wards or at large. The mayor is elected at large and has most of the power to appoint and remove department heads. He usually is given power over budget preparation and execution and has a veto over ordinances. Recently some of the larger cities have added a "chief administrative officer" who is in charge of many of the more technical aspects of administration in order to meet the criticism that few mayors can succeed both as political leader and expert administrator.

CLASSIFICATION OF COLORADO CITIES

Colorado cities operate either under a home rule charter or under charters granted by the legislature through a classification system. Three cities, which were established before Colorado became a state still operate under territorial charters.

The Home Rule System

Under Home Rule the legislature, by an act of renunciation, authorizes the cities to adopt their own charters subject only to certain general state statues. The following cities have Home Rule.

Council-Manager Form

Alamosa	Durango	Lafayette	Rifle
Boulder	Englewood	Littleton	Sterling
Canon City	Fort Collins	Longmont	Westminister
Colorado Springs	Grand Junction	Monte Vista	Wray
Cortez	Greely	Montrose	
Delta	Gunnison	Pueblo	

Mayor-Council Form

Craig	Denver	Fort Morgan

The Classification System

In the classification system the state legislature groups cities into classes according to their population, and provides general legislation or charter provisions for each class. In Colorado cities with 40,000 or over are called First Class Cities, Second Class Cities are between 2,500 and 40,000, Third Class Cities are those under 2,500. No Colorado cities over 40,000 have chosen to operate as First Class Cities but have instead obtained Home Rule Charters.

Statutory Second Class Cities

Council-Manager Form

Arvada	Glenwood Springs	La Junta
Florence	Golden	Trinidad
Brighton		

Mayor-Council Form

Aspen	Lamar	Manitou Springs	Telluride
Brush	Las Anamis	Ouray	Thornton
Commerce Town	Leadville	Rocky Ford	Victor
Cripple Creek	Loveland	Salida	Walsenberg
Idaho Springs	Louisville	Sheridan	

Territorial Charter

Colorado is the only state that still has this type of charter. Central City, Black Hawk, and Georgetown are still operating under territorial charters. At the present time these cities have a test case in the state courts that claims that under their charter the state has no power to regulate certain practices such as gambling within the city boundaries.

THE STATE LEGISLATIVE PROCESS

Getting a bill enacted into law is much more complicated than most citizens think it is. Many bills are voted down in one or both houses of the legislature and others never are reported out of committee.

How Bills Get Started

Most bills are first proposed by some state agency, by the governor or by some special interest group. Some originate with individual legislators. The idea or intent for a new law is drafted in "bill form" so that if enacted it fits the format of the already existing statutes. One or more legislators will serve as authors or sponsors of the bill and will seek its enactment. Bills may also be introduced by committees of the legislature.

The governor, in his message to the legislature, submits budget and tax proposals and other measures to the legislature for its consideration and action. A legislative council, made up of members of both houses, with a permanent staff, meets between sessions of the legislature to consider proposals and make recommendations for the next session. A deadline for the introduction of bills is usually set by legislatures.

Bills Are Assigned To Committees

Each bill introduced in the legislature is assigned to a committee which schedules hearing and discusses the merits of the bill. The bill is then referred to the entire body for action or is killed in committee. Organizations and individuals interested in a piece of legislation should be sure to have their sentiments heard by the committee, because this may help determine whether the bill is recommended for passage or "never sees the light of day". Lobbying has become an important factor in the legislative process.

Debate In The Legislature

After a bill has been favorably acted upon in committee it is put on the calendar for debate by the entire house or senate of the legislature. If it is passed there, it is sent to the other house for concurrence. If the other house insists on making amendments to the bill, it is sent back to the house where it originated and may go to a conference committee to resolve or compromise differences. This is especially true in the case of tax and public finance measures.

Action By The Governor

If both houses of the legislature vote favorably on a bill, it goes to the governor who can sign it and have it become law, or he can veto it and send it back to the legislature. If at least 2/3 of both houses favor the bill it can become law by "overriding the veto".

II. The Government of the United States

The Executive Branch

The President and the Vice President

Article II, section 1, of the Constitution provides that "the executive Power shall be vested in a President of the United States of America. He shall hold this Office during the Term of four Years. . . . . together with the Vice President, chosen for the same term. . . . .".

The Founding Fathers feared a strong executive and wished to make the legislative body the actual source of power in the new government. For this reason the powers of the President were not clearly spelled out in the Constitution. The powers of the President in 1789 were few compared with those he exercises today. Under Article II, section 2, the President was made the Commander in Chief of the Army and Navy, and could with the "Advice and Consent of the Senate," make treaties, "provided two thirds of the Senators present concur; . . . .". He was also able to appoint ambassadors, judges of the Supreme Court, and other government officials not otherwise provided for in the Constitution.

Through the efforts of such strong Presidents as Jefferson, Lincoln, Theodore Roosevelt, Wilson, and Franklin D. Roosevelt the powers of the President have increased greatly. Today in addition to being the administrative head of the executive branch the President is the chief legislator. Most of the major legislation today is proposed by the President either through his platform, his messages to Congress, or his speeches to the People.

For years the office of Vice President held no importance other than being "one heart beat away from the Presidency". The Vice President is the President of the Senate and presides over this body. He has no vote except in case of tie. Lately, however, the office has become more and more important. Today the Vice President also serves as a special agent for the President in foreign policy matters.

The Cabinet

The Cabinet is the creation of custom and tradition, going back to the first President and functioning at the pleasure of the President. The purpose of the Cabinet is to advise the president on any matter that he may wish advice.

The cabinet is composed of the heads of the ten executive departments--the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Postmaster General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, and the Secretary of Health, Education, and Welfare. Other officials of the executive branch are often invited by the President to participate in Cabinet meetings regularly, and others are invited from time to time for discussion of particular subjects.

The Legislative Branch

The Congress of the United States was created by Article I, section 1, of the Constitution which provided that "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The first Congress under the Constitution met on March 4, 1789, in the Federal Hall in New York City. The Membership then consisted of 20 Senators and 59 Representatives.

The Senate is composed of 100 members, 2 from each State, who are elected to serve for 6 years. One-third of the Senate is elected every 2 years.

There are 435 seats in the House of Representatives. The number representing each State is determined by population, but each State is entitled to at lease one Representative. Members are elected for 2 year terms, all terms running for the same period.

Both the Senators and the Representatives must be residents of the State from which they are chosen. A Senator must be at least 30 years of age and a citizen of the United States for at least 9 years. A Representative must be at least 25 years of age and a citizen at least 7 years.

Article I, section 8, of the Constitution defines the powers of Congress. Included are the powers to assess and collect taxes; to regulate commerce, both interstate and foreign; to coin money; to establish post offices; to establish courts inferior to the Supreme Court; to declare war; to raise and maintain an army and navy; and to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, ...".

Another power vested in the Congress is the right to propose amendments to the Constitution, whenever two-thirds of both houses shall deem it necessary. When two-thirds of the State legislatures demand changes in the Constitution, it is the duty of Congress to call a Constitutional convention. Proposed amendments shall be valid when ratified by the legislatures or conventions of two-thirds of the States.

Under the Constitution the Senate is given certain powers not accorded to the House of Representatives. The Senate approves or disapproves certain appointments by majority vote; and treaties must be concurred in by a two-thirds vote.

The House is granted the power of originating all bills for the raising of revenue.

All bills and joint resolutions must pass both the House of Representatives and the Senate and must be signed by the President to become a law. A bill may be passed over the Presidents veto by a two-thirds vote of both Houses.

When a bill or joint resolution is introduced into the House, the procedure for its enactment into law is as follows:

1. Assignment to House committee having jurisdiction.

2. If favorably considered, it is reported to the House either in its original form or with amendments.

3. If the bill is passed by the House, it is sent to the Senate and referred to the committee having jurisdiction.

4. In the Senate committee the bill, if favorably considered, may be reported out in the form received from the House or it may be amended.

5. If the bill originates in the Senate it goes first to its appropriate committee; if referred out it is then acted upon by the whole Senate; and if passed is sent to the House for action.

6. The approved bill is reported to the Senate, and if passed is returned to the House.

7. Differences in the two bodies necessitate a joint conference committee to effect a compromise.

8. When the bill is finally approved by both Houses, it is signed by the Speaker of the House of Representatives and the Vice President and is presented to the President.

9. Once the President's signature is affixed, the measure becomes a law. If the President vetoes a bill, it cannot become a law unless it is repassed by a two-thirds majority of both Houses.

The Judicial Branch

Article III, section 1, of the Constitution provides that "the judicial Power of the United States, shall be vested in one supreme Court and in such inferior Courts as the Congress may from time to time ordain and establish."

The Supreme Court is made up of the Chief Justice of the United States and eight Associated Justices. Power to nominate the Justices is vested in the President with the advice and consent of the Senate. Justices are appointed for life and may not be removed for political reasons. A Justice may retire at age 70 after serving 10 years as a Federal Judge or at age 65 after serving 15 years.

Under Article III, section 2, the "judicial power shall extend to all cases, in Law or Equity, under this Constitution, the Laws of the United States, and Treaties made, ... under their authority."

The United States Courts of Appeals

The courts of appeals are intermediate courts that relieve the Supreme Court of considering all appeals in cases originally decided by the Federal trial courts.

The United States is divided into 11 judicial circuits, in each of which there is a United States court of appeals. Each court of appeals has from 3 to 9 circuit judges depending upon the amount of judicial work in the district.

District Courts of the United States

The district courts are the trial courts with general Federal jurisdiction. Each State has at least one district court with the larger States having as many as four.

Each district court has from 1 to 18 Federal judges, depending upon the amount of judicial work within its territory. Only one judge is required to hear and decide a case in district court, but some cases require 3 judges to be called together.

Cases from the district courts are reviewed by the United States Courts of Appeals except that injunction orders of special three-judge district courts, certain decisions holding acts of Congress unconstitutional, and certain criminal decisions may be appealed directly to the Supreme Court.

Colorado Congressional Delegation

Senators		Representatives			
Gordon Allott	(R)	1st District - Byron Rogers	(D)	3rd District - J.Edward Chenoweth	(R)
Peter Dominick	(R)	2nd District - Donald Brotzman	(R)	4th District - Wayne Aspinall	(D)

Party Lineup - 88th Congress 1963

	Democrats	Republicans	Vacancies
House	257	177	1
Senate	67	33	0

Prepared by:
Donald L. Smith (CLEAR)
U. of Colorado 10/30/63

A LIST OF PUBLICATIONS

Attached hereto is a list of publications (by no means complete) which represents a variety of viewpoints on social, economic and political issues. The names, addresses and subscription rates are given, so that persons interested in subscribing to one or more of these publications will have the pertinent information readily available. Where the editorial policy or general point of view was easy to determine or generally known, we have used the following code for identifying publications. In other cases when the publication covered quite a range of viewpoints or when it was difficult to clarify we have merely listed the publication under one of several headings, depending upon the type of issues it deals with.

UL - Ultra Left
L - Left
LM - Liberal, Moderate or Center
C - Conservative
UR - Ultra-Right

We are aware of the fact that classifying publications is not an easy matter. We also realize that what one person considers "liberal" might be considered "ultra-right" by some other person, depending upon his own philosophy of outlook. Of course, "The final proof of the pudding is in the eating". In the final analysis everyone must judge for himself how to classify publications or the ideas they espouse.

We have prepared this list because we believe people must be informed in order to make intelligent decisions, and where possible they should have access to the points of view of a variety of organizations. We expect to add additional names of publications to this list from time to time and we will appreciate suggestions from you.

Walter H. Uphoff
Director of Education (CLEAR)

PUBLICATIONS DEALING WITH SOCIAL, ECONOMIC & POLITICAL ISSUES

Labor Publications - Only a few are listed because practically each organization also has its own publication.

L-1 AFL-CIO News 815 Sixteenth St., N.W., Washington 6, D. C. - $2.00 per year

L-2 Labor 400 First Street N.W., Washington 1, D. C. - $2.00 per year

L-3 Colorado Labor Advocate Denver Labor Center Annex, 35 West 4th Ave., Denver 23, Colorado - $3.75 per year

L-4 Labor History Tamiment Institute, 7 E. 15th St., New York 3, N.Y. 3 times per year - $4.00 per year

L-5 Industrial and Labor Relations Review Cornell University, Ithaca, New York $6.00 per year

L-6 Monthly Labor Review Max D. Kossoris, 630 Sansome Street, San Francisco 11, Calif. (Western Region - a gov. pub.) $6.25 per year

Political Analysis

P-1 The Annals of The American Academy of Political and Social Science The American Academy, 3937 Chestnut St., Philadelphia 4, Pa. Single copies - Nonmembers $2.00, Members $1.50

P-2 American Capsule News 1835 K Street N.W., Washington, D.C. (weekly)
UR $10.00 per year

P-3 American Mercury Defenders, Inc., Box 601, Oklahoma City, Okla. (monthly)
UR $4.00 per year

P-4 American Opinion 395 Concord Ave., Belmont, Mass. - Robert Welch
UR (11 times per year) $5.00 per year

P-5 The American Political Science Review 1726 Massachusetts Ave., N.W.
LM Washington, D.C. 20036 $15.00 per year

P-6 Communist Affairs Research Institute on Communist Strategy & Propaganda,
UL Univ. of Southern California, University Park, Los Angeles, California $5.00 per year

P-7 Counterattack: Facts to Combat Communism and Those Who Aid Its Cause
UR 250 W. 57th St., New York, N.Y., published by American Business Consultants, Inc. Bi-weekly

P-8 Current 905 Madison Avenue, New York 21, N.Y. (monthly) $8.00 per year

P-9 The Dan Smoot Report P. O. Box 9358 Lakewood Station, Dallas, Texas 75214
UR (weekly) $10.00 per year

P-10 Daughters of the American Revolution NSDAR, 1776 D Street, N.W., Washington,
C D.C., 20006 $2.00 per year

Political Analysis (continued)

P-11 Freedom 6413 Franklin Avenue, Los Angeles, California, published by the Freedom Amendment Committee (Bi-monthly) 12 issues $3.00
UR

P-11a Friends Committee on National Legislation Newsletter, 245 - 2nd St., N.E., Washington 2, D.C. $3.00

P-12 Human Events 410 First St., S.W., Washington, D.C. (weekly) $12.50 per year
UR

P-13 Nation 333 Sixth Avenue, New York 14, N.Y. (weekly) $8.00 per year
LM

P-14 National Guardian 197 E. 4th St., New York, N.Y. 10009 (weekly) $7.00 per yr.
UL

P-15 National Review 150 E. 35th St., New York, N.Y. 10016 (weekly) $16.00 per yr.
UR

P-16 New America Room 402, 1182 Broadway, New York 1, N.Y. (Bi-weekly) $4.00 per year
L

P-17 The New Republic 1244-19th St.,N.W., Washington, D.C. (weekly) $8.00 per year
LM

P-18 The New Leader American Council on International Affairs, 7 E. 15th St., New York 3, N.Y. (Bi-weekly) $6.00 per year
L

P-19 The University Thought 5478 S. Woodlawn, Chicago 15, Ill. (Quarterly) $2.00 per year
L

P-20 Partisan Review Foundation for Cultural Projects, Inc., 22 E. 17th Street, New York 3, N.Y. (Bi-monthly) $5.50 per year
UL

P-21 Political Affairs Theoretical Organ of the Communist Party, USA 23 W. 26th St., New York 10, N.Y. (monthly) $5.00 per yr.
UL

P-22 The Progressive Madison, Wisconsin (monthly) $2.00 for 10 copies
LM

P-23 The Reporter 660 Madison Ave., New York 21, N.Y. (Monthly) $6.00 per year
LM

P-24 Right P.O. Box 180, San Francisco, California (Monthly) $3.00 per year
UR

P-25 The Rockwell Report 928 N. Randolph St., Arlington, Virginia $10.00 per year
UR

P-26 I. F. Stone's Bi-Weekly 5618 Nebraska Ave., N.W., Washington, D.C. (Bi-weekly) $5.00 per year
L

P-27 Studies on the Left P.O. 33 Planetarium Station, New York 24, N.Y. $3.50 per year
UL

P-28 U.S.A. 530 E. 72nd St., New York, N.Y. 10021 (Weekly) $20.00 per year
UR

Political Analysis (continued)

P-29 The Voice of Freedom Fort Walton Beach, Florida (Monthly) $5.00 per year
UR

P-30 The Young Socialist Box 471, Cooper Station, New York 3, N.Y. (Monthly) $1.00 per year
UL

Civil Rights and Civil Liberties

C-1 Civil Liberties 156 Fifth Avenue, New York, N.Y. 10010 $1.50 per year

C-2 CORE-lator National Congress of Racial Equality, 38 Park Row, New York 38, N.Y. (Bi-monthly) $2.00 per year

C-3 The Crisis 16 W. 40th St., New York 18, N.Y. $1.50 per year

C-4 Freedomways 799 Broadway, New York 3, N.Y. $3.50 per year

C-5 Mississippi Free Press 538½ North Farish St., Jackson 2, Miss. $4.00 per year (outside Mississippi)

"Multi-Issue" Publications

M-1 American Quarterly Box 46 College Hall, University of Pennsylvania, Philadelphia 4, Pa. $6.00 per year
C

M-2 The Atlantic Monthly 8 Arlington St., Boston 16, Mass. (Monthly) $8.50 per year

M-3 Atlas 31 W. 57th St., New York 19, N.Y. (Monthly) $7.50 per year
LM

M-4 Business Week 330 W. 42nd St., New York 36, N.Y. (Weekly) $6.00 per year
C

M-5 The Congressional Digest 3231 P. Street, Washington 7, D.C. $10.00 per year
C

M-6 Contemporary Issues Contemporary Press, P.O. Box 2357 (Quarterly) $1.80 per year

M-7 Dissent 509 5th Avenue, New York, N.Y. $3.50 per year
L

M-8 Fortune Time and Life Building, New York 20, N.Y. (Monthly) $10.00 per year
C

M-9 Group Research Report 422 Bond Building, 1404 New York Avenue, N.W., Washington, D.C.

M-10 Harpers 49 E. 33rd St., New York 16, N.Y. (Monthly) $6.00 per year

"Multi-Issue" Publications (continued)

M-11 Liberation Room 1029, 5 Beekman St., New York 38, N.Y. (Monthly) $4.00 per year
L

M-12 Life 540 N. Michigan Ave., Chicago, Ill. 60611 (Weekly) $6.75 per year
C

M-13 Look Look Building, Des Moines, Iowa 50304 (Weekly) $4.00 per year

M-14 Newsweek 444 Madison Ave., N.Y. 10022 $7.00 per year
C

M-15 Readers Digest Readers Digest Association, Pleasantville, N.Y. (Monthly)
C $4.00 per year

M-16 Saturday Review 25 W. 45th Street, New York 36, N.Y. (Weekly) $7.00 per yr.
LM

M-17 Time 540 N. Michigan Ave., Chicago, Ill. (Weekly) $7.00 per year
C

M-18 U.S. News and World Report 435 Parker Avenue, Dayton, Ohio 45401 (Weekly)
C 25 weeks for $3.87

Peace

P-1 The American Legion Magazine 720 - 5th Ave., New York 7, N.Y. (Monthly)
$1.50 per year

P-2 Committee for Nonviolent Action Bulletin 325 Lafayette St., New York, N.Y.
$2.00 per year (10012

P-3 The Federalist 1346 Connecticut Ave., N.W., Washington, D. C. (Monthly)
$2.00 per year

P-4 Newsletter, Post War World Council, 112 East Nineteenth St., New York 3, N.Y.
$3.00 per year

P-5 The Peacemaker 10208 Sylvan Ave. (Gano) Cincinnati 41, Ohio (Monthly)
$2.00 per year

P-6 War/Peace Report 8 E. 36th St., New York, N.Y. 10016 (Monthly) $5.00 per yr.

P-7 WRL News (War Resisters League) 5 Beekman St., New York 38, N.Y.

Consumer Issues

Con.1 Consumer Reports 256 Washington St., Mt. Vernon, N.Y. (Monthly) $6.00 per year

Con.2 Newsletter, Council on Consumer Information, Colorado State College, Greeley,
Colorado $3.00 per year ($2.00 per year - student)

Religion

R-1 America, the National Catholic Weekly Reviews, 920 Broadway, New York, N.Y. $8.00 per year (10010

R-2 The Catholic Worker 175 Chrystie St., New York, N.Y. $.25 per year

R-3 The Christian Century 407 S. Dearborn St., Chicago, Ill. 60605 $7.50 per yr.
L

R-4 Christianity and Crisis 537 West 121st St., New York, N.Y. 10027 $5.00 per yr.
L

R-5 Commonweal 232 Madison Ave., New York 16, N.Y. (Monthly) $8.00 per year

R-6 The Cross and The Flag P.O. Box 27895, Los Angeles 27, Calif. $2.00 per year

R-7 Fellowship Box 271, Nyack, N.Y. (Monthly) $3.00 per year

R-8 Jubilee 168 E. 91st St., New York, N.Y. 10028 (AMDG Pub. Co.) $5.00 per year

LABOR DEVELOPMENTS, International. Industrialized countries continued to increase both productivity and mechanization during 1964 while underdeveloped countries continued in their struggle to keep food and fibre production apace with population growth. Automation in many forms continued to spread in much of the industrialized world, bringing with it greater output but also posing problems of how to distribute the increased production. The United States, perhaps more than any other country, was faced with the dilemma of increasing productivity and per capita income along with persistent unemployment levels of over 5 percent and "pockets of poverty."

Significant events in labor developments, as related to trade union activities and governmental policies, are reported by continent.

International Organizations. No major changes took place in the membership of the three international labor organizations, the International Confederation of Free Trade Unions (ICFTU), the World Federation of Trade Unions (WFTU) (q.q.v.), and the International Federation of Catholic Trade Unions (IFCTU) (see SOCIETIES). Activities of the federations are discussed under the report on each continent. The International Labor Organization (ILO), one of the specialized agencies of the UN, continued its educational campaigns.

Africa. On the African continent, the two trends noted during 1963 continued: the demise of two competing pan-African labor groups, the militantly non-aligned All-African Trade Union Federation, and the more moderate African Trade Union Confederation; and increasing governmental control over unions. The AATUF and ATUC lost their organizational momentum as their progenitors, the Casablanca and Monrovia blocs of African countries, dissolved to facilitate "African unity" (OAU). During 1964, however, the African ICFTU affiliates, which had composed the ATUC, conducted their fourth conference of the ICFTU African Regional Organization (AFRO), with 24 countries represented at Addis Ababa, the seat of the governmental Organization of African Unity (OAU) April 8–12. This represented a significant gain for ICFTU in Africa because it received the tacit approval of the OAU.

In Tanganyika, under government initiative, the Federation of Labor, made up of 11 affiliated unions, was replaced by a single trade union to represent all workers, so that organization and finances would be centrally controlled. In Algeria, union leaders gave open support to the policies of President Ben Bella, urging workers to donate their share of profits to create new enterprises and jobs. Rather than conflicting with Ben Bella's socialist regime, labor leaders said their conflict was with Communist and left-wing intellectuals. They did run afoul the government when they opened a drive for "worker control" of French-run private companies, and the government had to curb strikes against these companies to maintain production. Trade unions in Nigeria openly defied their government by launching a 12-day general strike which forced Prime Minister Abubakar's government to negotiate higher minimum wages for all Nigerian workers, while agreeing to the creation of permanent compulsory arbitration boards for future disputes. After the strike ended, Nigerian police arrested many labor leaders on charges of conspiracy to overthrow the government, but these charges were later dropped.

Colonialism and racism remained points of labor conflict. In Southern Rhodesia, a strike called in January by African nationalists ended with two Africans killed by police. In Northern Rhodesia, strikes over alleged racial discrimination interferred with government efforts to reduce unemployment. In African eyes, and in the eyes of trade unionists the world over, South Africa's apartheid policy of racial separation caused AFRO and the ICFTU to urge trade embargoes and boycott against South Africa. The South African government passed a bill to place rigid curbs on the jobs and movements of over 7 million Africans who live in so-called white cities and on farms outside the reserves for Negroes. The bill was denounced by the parliamentary opposition and religious leaders as introducing "virtual slavery" for Africans.

Asia. The Japanese labor movement is the best organized in Asia, though divided into four rival confederations, none of which are internationally affiliated even though some of its member organizations are. SOHYO is the largest confederation with slightly over half of the organized workers adhering to it, but it suffered internal division, as shown by the fact that five of its major affiliates belong to the ICFTU and three to WFTU. The largest strike in Japanese history, to include four million workers, was called off in April after government of Prime Minister Ikeda carried out an aggressive publicity campaign, emphasizing the illegality of walkouts and threatening leaders with punishment. Several large unions withdrew from the strike after receiving generous settlements from their employers, and others backed down under various kinds of pressure, thereby shattering any hope of strike unity. SOHYO, affiliated with the Japanese Socialist Party, lost considerable backing through the failure of the strike. See JAPAN.

Asian unions are usually closely identified with political movements or parties. One exception is the non-partisan Malaysian unions. The largest trade union center in India (q.v.) is allied with the ruling Congress Party and affiliated with the ICFTU. In India the number of Emergency Production Committes, started in December 1962, had reached 1,755 by the summer of 1964. In May a general strike was called in Calcutta to protest rising prices. In Ceylon there are five central labor federations, the largest of which is the ICFTU affiliated plantation workers union. In March, the government of Ceylon proclaimed a state of emergency because of a series of strikes. Indonesian unions had a 110 percent growth. The two largest national centers, one Communist- and one Trotskyite-oriented, are affiliated

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with the WFTU. Unions in Burma are being reorganized into one government-directed federation. The trade union situation in Korea is very unstable. Workers staged demonstrations and strikes over rising prices and unemployment, forcing the government to end its wage ceiling for employees of state-run enterprises in January.

In the Middle East, the most stable unions are in Lebanon, where two federations are members of the ICFTU and two are members of the Confederation of Arab Trade Unions (CATU); up 78 percent in membership. In Iraq, the central federation, which was formerly a member of WFTU, is now under temporary government management after the overthrow of President Kassem last year, and in Syria unions are being reorganized by the government. The ICFTU affiliate in Iran has been dissolved, and has reformed to meet government registration requirements. Most union members in Jordan are members of CATU.

Europe. European labor became increasingly "international" during 1964 as the shortage of labor in Germany, France, Switzerland, and Sweden caused a migration of workers from Spain, Portugal, Yugoslavia, Italy, Greece, and Turkey. The European Economic Community (q.v.) policy of freeing the movement of workers between member countries has not caused new patterns of labor migration of "cheap labor" to northern countries. Instead, the 2.5 million emigrants to the northern countries have come primarily from non-member countries with lower living standards.

At mid-year Germany had 660,000 jobs open with only 112,000 jobless despite the influx of over 800,000 workers during 1963. The French government decided to seek additional 500,000 foreign workers over the next five years to ease the pressure for higher pay. French public service workers had staged a 24-hour strike in March to protest government wage restrains. In the United Kingdom, the government also sought to hold wage demands and prices down to check inflation. At least a fifth of the Swiss labor force came from other countries. The shortage of labor was a contributing factor to growing inflation in most European countries during 1964, causing governments to embark on deflationery policies which could slow economic growth and reduce the demand for labor. Inflation caused many unions to seek higher wages to keep up with price increases, but there were fewer strikes in 1964, due in part to the shortage of labor. See FRANCE.

The Franco regime in Spain (q.v.) and Franco's control of Spanish labor organizations (*Sindicatos*, with employers represented on an equal basis with workers) became an international issue, as the European ICFTU affiliates worked to prevent Spanish association with the Common Market. In Spain, anti-*Sindicato* labor groups conducted strikes and agitation for independent trade unions and in March, over 500 members of a Catholic labor group demonstrated against the *sindicatos* and smashed the doors of the building where the annual Congress was in session. Unemployment in Scandinavia continued at low levels, ranging from a high of several percent in mid-winter to less than 1 percent in summer. Sweden relied heavily on relocation allowances and training allowances as well as on general emergency funds for public works to maintain full employment. Denmark enacted a new supplementary pension scheme in March to supplement its national pensions, providing for full benefits after only 27 years of contributions. Yugoslavia enacted legislation permitting and encouraging workers with skills to make and sell handicraft articles and to employ as many as five workers in such private enterprises.

Latin America. The three regional labor organizations in Latin America, ORIT-ICFTU, CTAL-WFTU, and CLASC-IFCTU, have 70, 20, and 10 percent respectively affiliated with these international bodies. However, this combined number of about 7.8 million is only slightly over half of the 14.3 million Latin Americans who belong to some trade union. Organized labor makes up somewhat over 15 percent of the Latin American labor force of 90 million, but ~~and~~ is very influential because of its concentration in key industries and urban areas.

*ST 4848M 1st proof Year Book 1965 gal L-5

Political involvement of trade unions was particularly significant during 1964 in Argentina and Brazil (q.q.v.). President Goulart of Brazil, who was ousted by a military coup in April, had built his party with the support of the powerful trade unions. Although the military justified its take-over in terms of pre-empting a Communist plot to seize the government, rampant inflation had caused considerable dissatisfaction and made it easier for Goulart to be supplanted. Goulart had given many government workers a 100 percent increase in wages and doubled minimum pay scales for all workers. When the military moved against Goulart, the General Workers Command called a general strike to back the President, but it collapsed after one day when hundreds of labor leaders were arrested. The new President, Castelo Branco, outlawed all strikes at first, but later legitimized strikes over pay, while "purging" union leadership of "leftist" elements. Unions are not likely to play a dominant role in Brazilian politics for some time.

In Argentina, the General Labor Confederation, dominated by followers of former dictator Juan Peron, threatened a general strike in February unless the government of President Illia curbed inflation and raised minimum wages. During May and June, the CLC engaged in the tactic of having the workers "occupy" factories for carefully-planned "sit-ins." Over two million workers seized 10,000 factories during May and June, and were successful in forcing the government to meet many of their demands. Tin miners' unions in Bolivia (q.v.) were unsuccessful in gaining political power for their leader, Juan Lechin.

One constructive development in 1964 was the formation in April of the Labor Council of Central America, composed of the Labor Ministers of Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica, intended to orient and coordinate labor and social policies in the five countries. See LABOR CONDITIONS.

—WALTER H. UPHOFF

INSTITUTE OF LABOR AND INDUSTRIAL RELATIONS

UNIVERSITY OF MICHIGAN - WAYNE STATE UNIVERSITY

APPLICATION FOR ADMISSION TO THE LABOR SCHOOL

(Please use typewriter or print in ink)

Mail to: Mr. Gene Brook, Institute of Labor & Industrial Relations
933 Mackenzie Hall, Wayne State University
Detroit, Michigan 48202

Name: _____

ADDRESS: _____ CITY: _____ TELEPHONE NO: _____

WHERE DO YOU WORK? _____

JOB HELD: _____

LOCAL and INT'L UNION (OR OTHER ORGANIZATIONS) TO WHICH YOU PRESENTLY BELONG: _____

_____

HOW LONG HAVE YOU BEEN A MEMBER? _____

THE ELECTED OR APPOINTED OFFICE YOU NOW HOLD: _____

_____

ELECTED OR APPOINTED OFFICES HELD IN THE PAST: _____

_____

LOCAL and INT'L UNIONS TO WHICH YOU HAVE PREVIOUSLY BELONGED: _____

_____

NUMBER OF SCHOOL GRADES YOU HAVE COMPLETED: ELEMENTARY____ HIGH SCHOOL____ COLLEGE____

NUMBER OF YEARS OF TRADE SCHOOL OR APPRENTICE TRAINING YOU HAVE COMPLETED:

_____

LIST ALL COURSES YOU HAVE COMPLETED IN THE WORKERS BASIC STUDY PROGRAM AND THE NAMES OF YOUR INSTRUCTORS: _____

_____

_____

LIST ALL OTHER UNION SPONSORED EDUCATION COURSES YOU HAVE TAKEN AND ANY OTHER EDUCATIONAL TRAINING OR EXPERIENCE YOU HAVE HAD:_____

_____

_____

IS YOUR ORGANIZATION PREPARED TO FINANCE YOUR TUITION?_____ FOR WHAT AMOUNT?_____

IF NECESSARY, WHAT PART OF THE $60.00 PER YEAR TUITION ARE YOU PREPARED TO PAY YOURSELF?_____

TO BE FILLED IN ONLY BY FULL TIME UNION STAFF OR FULL TIME UNION OFFICERS (INT'L REPRESENTATIVES, BUSINESS AGENTS, FULL TIME LOCAL UNION OFFICERS, ETC.)

EMPLOYED FULL TIME BY:_____

JOB TITLE:_____

I AM APPLYING FOR ADMISSION TO THE WEDNESDAY MORNING (9:30 - NOON) SECTION OF THE LABOR SCHOOL, WHICH IS LIMITED TO FULL TIME UNION STAFF OR UNION OFFICERS ONLY.

YES_____ NO_____

ATTENDANCE PREFERENCE

PLEASE WRITE "FIRST CHOICE," "SECOND CHOICE," "THIRD CHOICE," AND "FOURTH CHOICE." WRITE "CANNOT ATTEND" AFTER THE DAY OR DAYS YOU ABSOLUTELY CANNOT ATTEND THE LABOR SCHOOL.

MONDAY NIGHT:_____

TUESDAY NIGHT:_____

WEDNESDAY NIGHT:_____

THURSDAY NIGHT:_____

If accepted, do you agree to attend the pre-semester Orientation Conference in Ann Arbor on the University of Michigan campus, Saturday and Sunday, September 18-19? (The cost of your room and Saturday dinner is already provided for in your tuition). YES_____ NO_____

WHY DO YOU WANT TO ENROLL IN THE LABOR SCHOOL?_____

_____

_____

_____

DATE_____ SIGNATURE OF APPLICANT_____

EFFECTIVE PUBLIC SPEAKING

It is generally recognized that "verbal communication" or speaking is the most frequently used way of getting information or ideas to other people. Everyone who can speak does so - but many who do speak wish at times that they could express themselves more effectively.

This outline is designed for use in connection with discussions and practice sessions on "Effective Speaking". Here are some of the points to keep in mind about "public speaking".

* There is no substitute for practice in speaking.

* We learn from our mistakes as well as from the things we do correctly. Try always to get constructive criticism and suggestions for improvement wherever possible.

* Confidence in speaking grows with successful experiences. Don't try to jump hurdles so high that you fall on your face. Start with simple talks about familiar subjects (low hurdles) - subjects that are very familiar to you and that you are sure you know more about than the listeners. For example - your name, where you were born, where you went to school, the size of your family, where you work, etc.
* Each person reading these pages is a unique person with his own individual habits and abilities. Each of us will express ourselves differently. But each of us can learn to be better speakers.

* The important thing is not how much better (or poorer) a public speaker you are than other members of the class - but how much you can develop and improve <u>your</u> speaking ability during the period of the course and the months and years that follow.

Essential Steps in Preparing a Speech

I. Think about the audience and the occasion

A. To whom will the talk be given? What is their age, background, sex, social status, financial status? What are their needs, wants, desires and interests? What is their religion, education, politics?

B. Is the occasion a dignified one or a rough and tumble rally? What is the time and place, how comfortable will the audience be? How receptive? What will happen on the program before you speak? After you Speak?

C. What will the audience's attitude toward the speaker and the subject be? Will they be hostile, sympathetic, apathetic, well informed or uninformed?

II. Determine the general reaction you want from your audience (purpose of speech).

A. To inform: explanation, securing understanding, adding to knowledge
B. To entertain: hold interest and create enjoyment
C. To stimulate: inspire, deepen existing opinions
D. To convince: secure agreement, belief
E. To actuate: secure action based upon belief.

III. Select and narrow the subject

A. Select in relation to:
1. Interest and ability of the audience
2. Interest and ability of the speaker
3. Purpose of the occasion

B. Narrow to fit the time allowed

C. State the central idea or theme in a single sentence

IV. Collect Material. (Get more than you can use)

A. Go first to your own knowledge, experience and thinking on the subject

B. Consult printed materials - books, newspapers, magazines, government documents, etc., whatever is most useful for the chosen topic

C. Discuss your topic with another person (interview or informal talk)

V. Make a plan (Outline)

A. FIRST, plan the body (development) of the talk
1. Select the main ideas (usually two to five)
2. Arrange your main ideas according to a definite pattern
a. Time sequence
b. Topical sequence
c. Problem-solution sequence

3. Select the supporting details for each main point
a. Illustration (story)
b. Specific instances
c. Testimony
d. Statistics
e. Restatement
f. Visual aids

B. NOW plan the instruction
1. Purposes:
a. To capture the attention of the audience
b. To give the audience an overview of the speech
2. Kinds:
a. Reference to the subject or the problem
b. Reference to the occasion
c. Personal greeting (If you're a big shot away from home)
d. Question or series of questions
e. Striking or attention getting statement
f. Quotation
g. Humorous anecdote
h. Illustration
i. Summarize your procedure in dealing with the question (Tell them what you're going to tell them)
j. Use a combination of several of the above

C. FINALLY prepare the conclusion
1. Purposes:
a. To summarize the subject matter
b. To make an appeal for favorable reaction (thought or action) if you are trying to convince or actuate

V. C. (continued)

2. Kinds:
   a. Summarize the main points
   b. Restate the central idea in a single sentence
   c. Quotation
   d. Illustration
   e. Offer an inducement
   f. Present a challenge
   g. A combination of several of the above

VI. Practice aloud!

A. Study our outline until you are familiar with it; don't try to memorize.

B. Then talk using your outline or brief notes. Do not try to memorize.
   1. Go straight through your speech without stopping. You may leave out points or change them. Perhaps you ought to.
   2. Don't expect too much the first time you try; it will improve with practice.
   3. If possible, get someone to listen to you.
   4. Keep at it; oral practice is a modest investment.

C. Revise your outline and notes. You'll probably want to make some changes. You may have to lengthen or shorten the material you plan to present in the time allotted to you.

- - - -

5. Hints for starting a speech

   a. A good speech must get <u>and</u> <u>hold</u> the attention of the audience.

   b. Establish rapport with the audience (get them "tuned in" on the same wave length. Refer to common interest or common acquaintance if appropriate.

   c. Do not use excuses or apologies when starting your speech. Do the best you can, but don't tell the audience that you are not competent, that you've had no time to prepare, etc. If a factual explanation is called for - say so and make it brief.

   d. Use a story when it makes a point or when it brings the audience to attention or draws it closer to you.

6. Use gestures and bodily movements that will reinforce what you are trying to convey, but none that will distract.

7. Various types of "talking":

   a. conversion
   b. introduction
   c. talk or lecture
   d. discussion
   e. debate
   f. acting
   g. report
   h. question and answer
   i. radio or TV talk
   j. readings
   k. making a motion
   l. reading minutes of meeting

8. Psychological aspects of Communication:

   a. "Taint 'knowin nothin' that does so much harm as knowin' too much that aint so".

   b. "People are usually <u>down</u> on things they are not <u>up</u> on".

   c. "People can't be expected to have any better or sounder judgment than they have information on which to base their judgment".

   d. "We are all the product of our heredity and environment- our training, experience and sense of values and goals determines what we are interested in".

   e. "We have to start where people <u>are</u>, not where we'd like to have them".

   f. "Pooling ignorance does not produce wisdom".

   g. "There is much to the Chinese proverb that 'a picture is worth a 1,000 words'. A good saying or quotation is often worth just as many".

      <u>Examples</u>:

      1. "War does not determine who is right, only who is left".
         - Benjamin Franklin
      2. "For vy do ve get so soon oldt und yet so late schmart?"
      3. "So long as there is one man willing to work but unable to find employment, the hours of labor are too long."
         - Abraham Lincoln

4. Cannibal to Missionary - "Is it true that in de White Man's Land they kills mo' people than they can eat?"

5. "On some subjects 'tis better to shut up and seem dumb than to speak and remove all doubt."

h. "A man convinced against his will is of the same opinion still".

i. "When dealing with 'emotion laden' subjects it is especially important to establish rapport".

j. "It is important to remember that 'Who is saying it and why he is saying it' will have an important bearing on how seriously the speaker is taken".

k. "One should use facts and logic in preparing a speech. Since time never permits using all available information - one must be selective. One should keep in mind that there are sins of 'omission' and of 'commission' both of which can distort the picture".

l. "There is a difference between a 'bias' and a 'prejudice'. Prejudice means to 'pre-judge without due examination' while a 'bias', is a leaning or sympathy for or against a certain point of view or issue based upon a certain amount of knowledge or experience. If one has good and defensible reasons for holding a point of view or bias there is nothing wrong with it - but to pre-judge without examination should never be indulged in".

m. "In Psychology we learn about 'conditioning' or a mental set or habit, and about the 'law of primacy of persuasion'".

n. "People do tend to respect authority - especially if it is someone whose general outlook of philosophy is similar to ones own".

o. "While there is a tendency to carry over from one issue to another and a person is likely to be 'liberal' or 'conservative' on a whole series of issues - yet one cannot and should not expect that a person who may be interested in peace will necessarily be -

a vegetarian or not
a church member or not
a union member or not
a cooperator or not
a twist dancer or not
an Elvis Presley fan or not
a Republican, Democratic or Socialist
a football fan or not
a fisherman or not
a chessplayer or not
a smoker or not, etc., etc., etc."

p. "If a person wants to communicate he must command the attention and respect of the listeners. If not wearing a necktie causes potential listeners to turn off their 'receiver' it is wise to conform. The manner of speaking and dressing and bodily gestures all have a bearing on effective communication".

Suggested Topics for "Effective Speaking" Assignments

1. The Significance of "Right-to-Work" Laws
2. The Present Status of Union Health and Welfare Programs in the U.S.
3. Workmen's Compensation in Colorado
4. Understanding the "Left", "Right", and "Center"
5. Organizing the Unorganized
6. Unemployment and Shorter Work Week
7. Moonlighting
8. Civil Rights in America
9. The Colorado Labor Peace Act
10. The Committee on Political Education
11. The Role of the Press in Forming Opinions About Labor
12. The Role of the Schools in Forming Opinions About Labor
13. The Role of Radio and TV Commentators in Forming Opinions About Labor
14. The Value of a Labor Press
15. Factors Affecting Union Membership Participation in Union Affairs
16. Why Should Workers Be Interested in Understanding Taxation and Public Finance?
17. Why Should Workers Be Interested in Understanding Tariffs and Trade?
18. The Advantages and Dangers of Gradual Disarmament
19. How Do Workers Decide Who They are Going to Vote For?
20. What Limitations Should There be on the Right to Vote?
21. What Should be the Role of Government in Promoting Full Employment?
22. Why Should Union Members be Interested in Politics?
23. Why Should Local Unions Affiliate With Their Local and State Central Labor Bodies?
24. How Much Dues Should Union Members be Expected to Pay per Month and What Should the dues be used for?
25. Should Unions with Less than 250 Members merge with other Unions in their Geographic area?
26. "Hate Labor" Groups

Union Administration

IMPROVING THE WORK OF COMMITTEES

WHY HAVE COMMITTEES AT ALL?

A committee enables several persons to pool their resources, experience and interests in solving a problem or doing a job where one person couldn't do it as well.

PURPOSE

The purpose of the committee should be clearly defined. Its assignment should be clear and its specific job spelled out. Is it to

- diagnose a problem?
- suggest solutions?
- reach a decision?
- find facts?
- make recommendations?
- develop a program?
- deliver a report?
- take action?

SIZE

The size of a committee should include enough members to be able to carry out the job. It should probably be no more than 12.

SELECTION

Selection should be made in person. If faced with the situation, "Nobody will volunteer" perhaps the committee is not meeting a real need. Most people will volunteer if the circumstances are right and their interests are affected.

PROBLEMS OF THE CHAIRMAN

What are the functions of a good committee chairman?

- believes in arriving at group solutions
- does all he can to bring out ideas and suggestions
- moves group forward from discussion to action
- helps group see its place in the overall union effort
- clarifies goals for the group
- makes group aware of success as it moves towards its goal

What about his relations with other members of the committee

- has confidence in other members
- wants to give members the chance to contribute
- willing to give up chairman's "prerogatives"
- feels the job is more important than his own importance

DEMOCRATIC APPROACH

Committees work best if they operate democratically with members fully participating in making and carrying out the decisions of the group.

THE AGENDA

Committee meetings should have regular agendas. The agenda should be jointly arrived at with the committee members having a full part in determining what the committee will work on and how.

COMMITTEE MEMBERS

A member on a committee has as much responsibility as the chairman for the success of the committee. Anyone who helps the group define its goals and helps move the group toward those goals is performing a leadership function.

THREE TYPES OF COMMITTEE MEMBERS

1. Self-Centered Members

   a. Blocker b. Hair splitter c. Agressor d. Playboy

   e. Recognition seeker f. Self-confessor g. Dominator

   h. Special interest pleader

2. Group-Centered Members - Concentrates on Process

   a. Clarifies issues b. Harmonizes c. Compromises

   d. Expedites e. Sets standards f. Observes

   g. Follows other suggestions

3. Task-Centered Member - Concentrates on Content

   a. Makes suggestions b. Gives opinions c. Gives facts

   d. Asks for information e. Elaborates f. Initiates ideas

   g. Orients h. Evaluates i. Summarizes

NEW LEADERS

Committees can serve as a place to develop leaders. New leaders can gain experience, develop understanding of the local, its members and problems. To have co-chairmen sometimes is a useful way to encourage the growth of a leader.

Union Administration

WHAT MAKES COMMITTEES WORK?

A. They must have a well-defined function.

B. They must have attainable goals.

C. They should have deadlines.

D. They should be required to report regularly.

E. They should consult with responsible union officers on progress.

F. They should be given recognition

By reporting at meetings

By mention in the local paper

By awards, prizes, by badges, jackets or armbands

G. They should be recruited among people who are interested in the activity.

H. Recruiting should be personal.

I. Once recruited they should be elected, or if appointed, they should be given an official credential.

J. They should have authority to do what they are supposed to do.

K. They should be allowed a budget to spend for their purposes.

L. Meetings could be held in connection with social events.

M. Rewards in connection with their activities should go to the committee members - for example, education committee members should go to Education Conference; fair practice to Fair Practice Conference.

N. At least once annually some meeting should focus on their activities.

The following is a sample news release. See if you can find any mistakes. Draw a circle around each one and note what you think is wrong in the spaces provided at the bottom of the sheet.

LOCAL 666 MEETING

By Seymour Scribe

The regular monthly meeting of Local 666 was held Thursday night in the Labor Temple. President Gavelle presided. There was a good turnout considering it was the vacation season.

Brother Art Thomas, Corresponding Secretary, reported that the International Union is revising its system of mailing lists for our International Journal, to make sure everybody receives this fine publication each month. Brother Thomas paid special tribute to the local Publicity Chairman, Brother Oscar Rathskellar, for his outstanding work in getting two items about our local printed in the last issue of the Journal.

President Gavelle reported that two out of the three grievances pending against the Ratchet Company had been dropped because they were frivolous. One is going to arbitration, involving Mike Murphy's claim he worked out of his job description. "We will show the company a thing or two on that one," President Gavelle said.

Under Good and Welfare, President Gavelle said the High School Principal had gone with him to the Board of Education on a proposal by the Executive Board to pay for two college scholarships for our young people. President Smith described the plan of the Executive Board, which is to give $500 each to the lucky ones. There will be an essay contest that will be on a subject we will pick. It will get these kids thinking along different lines than they read in the papers or might hear in their own homes. Sister Brown wanted to know why we should use our money for chil-

(over)

(Adapted from ILPA Press Relations Guide.)

PURPOSES OF THE LOCAL UNION MEETING

1. To make the decisions that carry out the business of the local.

2. To inform the members about what has happened since the last meeting, what is happening at the time of the meeting, and what may be happening in the future - plus an explanation as to why these things are happening.

3. To educate the members in the principles, ideals and methods of the union and the labor movement.

4. To give the members an opportunity to speak their minds.

5. To develop a feeling of solidarity among the membership.

PROBLEMS INVOLVED IN SECURING GOOD ATTENDANCE

1. Members who feel that they must have a specific gripe before it is worth their while to attend the meeting.

2. Competition from outside interests and activities.

3. Absence of any firm pressures on members to secure their regular attendance - the feeling which some have that they do not need to attend in order to maintain their own self respect or the respect of their fellows.

4. Lack of understanding on the part of some as to the purposes of the union meeting - and of the purposes, principles, ideals and methods of the labor movement in general.

5. Inadequate publicity as to the date, time, purpose and business of the meeting - and not just the amount of publicity or the size of the notice, but the way in which the publicity is prepared.

6. The way in which some meetings are run, including:

   a. no opportunity for personal growth and development

   b. meetings which are too long, too dull or poorly organized

   c. domination of the meeting by one or two vocal members

   d. discussion of subjects which involve only a very few of those who are present

   e. discussion which is not on the subject

   f. prolonged discussion on minor points which could be referred to a committee for investigation, report, action, etc.

   g. use of parliamentary procedure in a fasion which is beyond the understanding or experience of a majority of the members, and/or the mis-use of the procedure by some members.

THE WORKER AS A CITIZEN

(Suggested outline for an 8-session short-course in Labor Education)

INTRODUCTION: This short-course is designed as a survey course that will give an overview of the legislative process in our society and of the rights and responsibilities of the worker as a citizen. Obviously 16 hours is not enough to go into great depth on any of the areas listed, but the course should provide a better understanding of the complexities of government and how it functions at the various levels.

An Overview

Why are "you" interested in this course?
What about the role of government in our society?
What about your role in government?
What proportion of our citizens vote in elections?
How many are active in the political party of their choice?
What are the requirements for voting eligibility?
What about differences in election laws from state to state?
How are political parties and political campaigns financed?

The Levels of Government and How They Function

Local Governments - city councils, county boards, townships, school districts, etc.
State Governments - legislative, administrative and judicial functions
Federal Government - legislative, administrative and judicial functions

Understanding Psychological and Economic Factors in Politics

Psychology and propaganda in politics
Economic interests and pressures
What determines the quality of government?
The role of pressure groups and special interest groups
(NAM, C. of C., AFL-CIO, AMA, NAACP, ACLU, PTA, LVW, NSRP, American Legion, V.F.W., NEA, AFT, Churches, Peace Organizations, John Birch Society, etc. Class members will be asked to volunteer to write to organizations to get their legislative programs.)

Legislative Issues of Interest to Workers

- As Workers - W.C., U.C., F.L.S.A., Safety, Social Security, etc.

- As Union Members - Wagner Act as amended by Taft-Hartley and Landrum-Griffin Acts, Right-to-work laws, etc.

- As Consumers - Protective legislation for health, safety, honest advertising, packaging, labeling, etc.

- As Citizens - Taxation and public finance, governmental services, who pays for them and how, education, health, safety, civil rights, full employment, world affairs, etc.

Participating in the Legislative and Political Process

- As Workers and Citizens - Being registered, voting, getting others interested in issues

- As Union Members - Developing legislative programs, working with COPE, MNPL, etc.

OPINION QUESTIONNAIRE

(Do not sign your name)

Listed below are a number of items taken from University of Minnesota Industrial Relations Center union research questionnaires. The items selected are about unions in general and can be answered by persons who are not members of any union.

Key: SA-Strongly Agree, A-Agree, Un-Undecided, D-Disagree, SD-Strongly Disagree

	SA	A	Un	D	SD
1) If it were not for unions, there would be little protection against favoritism on the job.	( )	( )	( )	( )	( )
2) I think the best person should be kept on the job regardless of seniority.	( )	( )	( )	( )	( )
3) Unions impose too many restrictions on employers.	( )	( )	( )	( )	( )
4) Charges of "racketeering" in unions are greatly exaggerated.	( )	( )	( )	( )	( )
5) A non-union shop usually pays lower wages than a union shop.	( )	( )	( )	( )	( )
6) Union rules often interfere with the efficient running of the employer's business.	( )	( )	( )	( )	( )
7) Every worker should be expected to join the union where he works.	( )	( )	( )	( )	( )
8) We need more laws to limit the power of labor unions.	( )	( )	( )	( )	( )
9) Labor unions hold back progress.	( )	( )	( )	( )	( )
10) The high wage demands of unions reduce chances for employment.	( )	( )	( )	( )	( )
11) The growth of unions has made our democracy stronger.	( )	( )	( )	( )	( )
12) Labor unions should be regulated to a greater extent by the federal government.	( )	( )	( )	( )	( )
13) Most unions gain their membership by forcing workers to join by threats of violence.	( )	( )	( )	( )	( )
14) When someone speaks against unions, I usually come to the union's defense.	( )	( )	( )	( )	( )
15) I regard union dues as a good investment.	( )	( )	( )	( )	( )
16) I feel that too many issues are already decided before union meetings are held.	( )	( )	( )	( )	( )
17) Union papers give only one side of an issue.	( )	( )	( )	( )	( )
18) Fines should be levied for not attending union meetings.	( )	( )	( )	( )	( )

TYPICAL UNION AFFILIATION CHART
(Applicable for most AFL-CIO Affiliated unions)

OTHER AFFILIATIONS $____
District# _____
Area _____
State Council _____
Regional " _____

INTERNATIONAL $____
No. of Locals _____
No. of Members _____

AFL-CIO $____
# of Internationals _____
# of Locals _____
# of Members _____

I.C.F.T.U. $____
# of Members _____
# of Countries _____

EUROPE Austria, Basque Country*, Belguim, Cyprus, Denmark, Esthomia*, Finland, France, Germany, Gibralter, Great Britain, Greece, Iceland, Italy, Luxemberg, Malta, Netherlands, Norway, San Marino, Spain*, Sweden, Switzerland, Trieste.

AFRICA Algeria, British Cameroons, Gambia, Ghana, Kenya, Libya, Madagascar, Mauritius, Morocco, Nigeria, Northern Rhodesia, Nyasaland, Rhodesia and Nyasaland, Federation of; Sierra Leone, Somaliland, Sudan, Tanganyika, Tunisia, Uganda.

ASIA Aden, Ceylon, China (Formosa) Hong Kong, India, Indonesia, Iran, Israel, Japan, Korea, Lebanon, Malaya, Okinawa, Pakistan, Phillippines, Singapore, Thailand, Viet Nam.

AMERICA Aruba, Bahamas, Barbados, Brazil, British Guiana, British Honduras, Canada, Chile, Colombia, Costa Rica, Cuba, Curacao, Dominica, Ecuador, Falkland Islands, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Montserrat, Panama, Paraguay, Peru, Puerto Rico, St. Kitts-Nevis, St. Lucia, St. Vincent, Surinam, Trinidad, Turks Islands, United States, Uruguay, Venezuela.

AUSTRALASIA Australia, Fiji Islands, New Zealand.

List prepared in Brussels, Belgium.

LOCAL UNION $____
# of Members _____

STATE LABOR COUNCIL $____
# of Intern'ls _____
# of Locals _____
# of Members _____

FEDERAL LABOR UNIONS $_____
# of Locals in State _____
# of Locals in Nation _____
# of Members in State _____
# of Members in Nation _____

CENTRAL LABOR UNION $_____
# of Internationals _____
# of Locals _____
# of Members _____

		Date
1.	Workers in labor force	_____
2.	" " military forces	_____
3.	" " agriculture	_____
4.	Non-agricultural workers	_____
5.	Unemployed	_____
6.	Organized workers	_____
7.	"Blue collar" workers	_____
8.	"White collar" workers	_____
9.	Female workers	_____
10.	Male workers	_____

* in exile

Prepared by Center for Labor Education and Research (CLEAR), University of Colorado, WHU 7/12/63.

COLLECTIVE BARGAINING

We wheedled and threatened and blustered,
We ranted and wrangled and roared,
We chided and fretted; we scoffed and we petted,
We snickered and wept and implored;
We groveled and swore and demanded,
We spurned and we fawned and we brayed,
We trampled on data, we tossed ultimata,
We grumped and stamped and inveighed;
We whimpered and simpered and shouted,
Pretended, defended and doubted;
We smiled and we jested,
Reviled and protested,
Debated, orated and scouted!

We cooed, pooh-poohed, we yelled, rebelled,
We warned, we scorned, we yammered;
We slurred, we purred, we sighed, defied,
We wailed, and railed, and clamored.

We fumed and we sneered and we whined,
We flattered, cajoled and maligned,
Consented, revoked and declined. . .
And finally the contract was signed!

FENCE OR AMBULANCE
(By Joseph Malins in "Hearing News")

'Twas a dangerous cliff, as they freely confessed,
Though to walk near its crest was so pleasant,
But over its terrible edge there had slipped
A duke and full many a peasant;
So the people said something would have to be done
But their projects did not at all tally;
Some said: "Put a fence 'round the edge of the cliff."
Some: "An ambulance down in the valley."

But the cry for the ambulance carried the day
For it spread through the neighboring city;
A fence may be useful or not, it is true,
But each heart became brimful of pity
For those who slipped over the dangerous cliff,
And the dwellers in highway and alley
Gave pounds or gave pence, not to put up a fence
But an ambulance down in the valley.

"For the cliff is all right, if you're careful", they said.
"And if folks even slip and are dropping,
It isn't the slipping that hurts them so much,
As the shock down below when they're stopping."
So day after day as those mishaps occurred
Quick forth would these rescuers sally
To pick up the victims who fell off the cliff,
With the ambulance down in the valley.

Then an old sage remarked: "It's a marvel to me
The people give far more attention
To repairing results than to stopping the cause
When they'd much better aim at prevention.
"Let us stop at its source all this mischief", cried he
"Come, neighbors and friends, let us rally;
If the cliff we will fence we might almost dispense
With the ambulance down in the valley."

"Oh, he's a fanatic," the others rejoined
"Dispense with the ambulance? Never!"
"He'd dispense with all charities, too, if he could;
No! No! We'll support them forever.
Aren't we picking up folks just as fast as they fall
And shall this man dictate to us? Shall he?
Why should people of sense stop to put up a fence
While their ambulance works in the valley?

But a sensible few, who are practical too,
Will not bear this nonsense much longer,
They believe that prevention is better than cure
And their party will soon be the stronger.
Encourage them then with your purse, voice and pen
And while other philanthropists dally
They will scorn all defense and put a stout fence
On the cliff that hangs over the valley.

Better guide well the young than reclaim them when old,
For the voice of true wisdom is calling;
To rescue the fall is good, but 'tis best
To prevent other people from falling.
Better close up the source of temptation and crime
Than deliver from dungeon or galley,
Better put a strong fence round the top of the cliff
Than an ambulance down in the valley.

- - - - - -

MOURN NOT THE DEAD!
By Ralph Chaplin

Mourn not the dead that in the cool earth lie,
Dust unto dust
The calm sweet earth that mothers all who die
As all men must.

Mourn not your captive comrades who must swell
Too strong to strive
Each in his steel-bound coffin of a cell
Buried alive.

But rather mourn the apathetic throng
The cowed and the meek
Who see the world's great anguish and its wrong
And dare not speak....

- - - - -

The following statement was made by Donald Richberg in December 1934 at Cleveland, Ohio, when talking about the unemployed to a group of social workers....."It is cheaper even from a money standpoint, to provide work for the idle hands, than it is to pay for the armies necessary to hold back these people when once their pleading fingers turn into threatening claws."

THE LIFE OF A

UNION REPRESENTATIVE

If he talks on a subject, he is trying to run things.

If he is silent, he has lost interest in the organization.

If he is seen at the office, why doesn't he get out.

If he can't be found, why doesn't he come around more often.

If he is not at home at night, he must be out drinking.

If he is at home, he is ducking.

If he does not agree that the boss is a skunk, he is a company man.

If he calls the boss a skunk, he is ignorant.

If he doesn't beat his chest and yell STRIKE, he is a conservative.

If he does, he is a radical.

If he doesn't stop to talk, his job has gone to his head.

If he does, that's all he has to do anyway.

If he gives someone a short answer, we'll get him in the next election.

If he tries to explain something, he's playing politics.

If he works out a good agreement with the boss, why didn't he ask for more.

If his clothes are clean, he's a big shot.

If he takes a vacation, he's had one all year.

If he's on the job a short time, he is inexperienced.

If he has been on a long time, there should be a change.

The One Hundred Percent American

Condensed from The American Mercury

Ralph Linton
Anthropologist, University of Wisconsin; author of
"The Study of Man, an Introduction"

Despite the average American's pride in things American, some insidious foreign ideas have already wormed their way into his civilization.

Thus dawn finds the unsuspecting patriot garbed in pajamas, a garment of East Indian origin, and lying in a bed built on a pattern which originated in either Persia or Asia Minor. On waking he glances at the clock, a medieval European invention, uses one potent Latin word in abbreviated form, rises in haste, and goes to the bathroom.

Here he must feel himself in the presence of a great American institution--until he remembers that glass was invented by the ancient Egyptians, the use of glazed tiles for floors and walls in the Near East, and porcelain in China. Even his bathtub and toilet are copies of Roman originals. The only purely American contribution is the steam radiator, against which our patriot very briefly and unintentionally places his posterior. In the bathroom the American shaves (a rite developed by the priests of ancient Egypt), washes with soap invented by the ancient Gauls, and dries himself on a Turkish towel.

Returning to the bedroom, the unconscious victim of un-American practices puts on garments whose form derives from the skin clothing of ancient nomads of the Asiatic steppes, and fastens them with buttons whose prototypes appeared in Europe at the close of the Stone Age. This costume, appropriate enough for outdoor exercise in a cold climate, is quite unsuited to American summers, steam-heated houses, and Pullmans. Nevertheless, foreign ideas and habits hold the unfortunate man in thrall. He puts on his feet stiff coverings made from hide prepared by a process invented in ancient Egypt. Lastly, he ties about his neck a strip of bright-colored cloth which is a vestigial survival of the shoulder shawls worn by 17th century Croats. Then he gives himself a final appraisal in the mirror, an old Mediterranean invention, and goes downstairs to breakfast.

Here his food and drink are placed before him in pottery vessels, the popular name for which--china--betrays their origin. His fork is a medieval Italian invention and his spoon a copy of a Roman original.

If our patriot adheres to the so-called American breakfast, his coffee (descendant of an Abyssinian plant) will be accompanied by an orange, domesticated in the Mediterranian region. He will follow this with a bowl of cereal made from grain domesticated in the Near East. Then he will go on to waffles, a Scandinavian invention, with plenty of butter, originally a Near-Eastern cosmetic.

Breakfast over, he places on his head a molded piece of felt, invented by the nomads of Eastern Asia, and sprints for his train--the train, not the sprinting, being an English invention. If it looks like rain, he takes an umbrella, invented in India. At the station he pays for his newspaper with coins invented in ancient Lydia. Once on board the train he settles back to inhale the fumes of a cigarette invented in Mexico, or a cigar invented in Brazil.

Meanwhile our American reads the news of the day, imprinted in characters invented by the ancient Semites by a process invented in Germany upon a material invented in China. As he scans the latest editorial pointing out the dire results to our institutions of accepting foreign ideas, he will not fail to thank a Hebrew God in an Indo-European language that he is a one hundred percent (decimal system invented by the Greeks) American (from Americus Vespucci, Italian geographer).

1937, The American Mercury, Inc., 570 Lexington Ave., N.Y.C.

(The American Mercury, April, '37)

??? WAS IT A GOOD UNION MEETING ???

Murphy Rating Sheet for the Union Meeting

Designed by Dr. Richard Murphy, Department of Speech
Issued by the Institute of Labor and Industrial Relations
University of Illinois, Champaign, Illinois

(Check Yes or No)

1.	Did the meeting begin promptly?	____	____
2.	Did the meeting adjourn in reasonable time?	____	____
3.	Were all reports of officers, committees, etc., ready and presented in good order?	____	____
4.	Was an agenda followed?	____	____
5.	Were the Constitution, By-Laws, and rules of order followed?	____	____
6.	Were proposals for action put in specific motions?	____	____
7.	Did the discussion reflect the various opinions and interests of the members?	____	____
8.	Was there enough discussion to show what the membership really thought?	____	____
9.	Was the discussion good tempered?	____	____
10.	Could everybody hear what was said?	____	____
11.	Were the members interested in the proceedings?	____	____
12.	Was necessary business transacted?	____	____
13.	Were irrelevant matters excluded?	____	____
14.	When work had to be done outside the meeting, were committees or persons assigned the job?	____	____
15.	Was the meeting held together (no little groups here and there in the hall having their own meeting?)	____	____
16.	Did the presiding officer guard against "railroading"?	____	____
17.	Did the officers conduct the meeting with meaning and dignity?	____	____
18.	Was there an atmosphere of freedom--of give and take?	____	____
19.	Was your faith in your union strengthened by what went on at the meeting?	____	____
20.	Were you glad you came to the meeting?	____	____
	Totals.....	____	____

CHECK THE LIST--THEN COMPARE YOUR SCORE!

Rating of Meeting: compare the "yes" column:

Score: 20 - 18 Excellent meeting
17 - 15 Average meeting
14 ---- Fair to poor meeting

Reproduced by
CLEAR
U. of Colorado

WHICH ARE YOU???

Are you an active member, the kind that would be missed,
Or are you just contented, that your name is on the list?
Do you attend the meetings, and mingle with the flock?
Or do you stay at home and criticize and knock?
Do you take an active part to help the work along.
Or are you satisfied to be the kind that "just belong"?
Do you ever go to visit a member who is sick?
Or leave the work to just a few and talk about "the clique"?
There's quite a program scheduled that I'm sure you've heard about
And we'll appreciate if you too, will come and help us out.
So come to the meetings often and help with hand and heart,
Don't just be a member, but take an active part.
Think this over member, you know right from wrong,
Are you an active member, or do you just belong?

ARE YOU POSITIVE?

By

Louis Baldwin

Page 83 - Supervisor's Management Guide - by AMA

Examples:

Negative: We cannot quote you a price until we have seen the specifications.
Positive: We shall be glad to quote you a price just as soon as we have seen the specifications.

Negative: We cannot ship these goods before August 8.
Positive: We will ship the goods on or before August 8.

Negative: Our supply is exhausted, and the line has been discontinued. We are therefore unable to fill your order.
Positive: Since our supply is exhausted and the line discontinued, may we fill your order with Princel at the same price?

Negative: We are very sorry to learn that half the items you ordered arrived too late for your sale.
Positive: We regret that only half the items you ordered arrived in time for your sale.

Negative: We cannot understand the last paragraph in your inquiry.
Positive: Everything in your inquiry is quite clear except the last paragraph.

Negative: Since we do not keep such records for more than two years, we cannot give you this information.
Positive: Unfortunately, we keep such records for only two years; we believe, however, that the Acme Information Service (Chicago 45, Illinois) could help you.

Negative: The repairs you suggest should not be too difficult to make.
Positive: The repairs you suggest should be fairly easy to make.

Negative: This new carburator reduces fuel waste.
Positive: This new carburator will give you three more miles to every gallon of gas.

Negative: We cannot do it today.
Positive: We will do it tomorrow.

Unions, Management, and the Public, pp. 120-21; article from Literary Digest, November 27, 1920.

MR. DOOLEY ON THE OPEN SHOP
By. F. P. Dunne

"'What's all this that's in the papers about the open shop?' asked Mr. Hennessey.

"'Why, don't ye know?' said Mr. Dooley. 'Really, I'm surprized at yer ignorance, Hinnissey. What is th' open shop? Sure, 'tis where they kape the doors open to accommodate th' constant stream av' min comin' in t' take jobs cheaper than th' min what has th' jobs. 'Tis like this, Hinnissey: Suppose wan av these freeborn citizens is workin' in an open shop f'r th' princely wage av wan large iron dollar a day av tin hour. Along comes anither son-av-gun and he sez t' th' boss, "Oi think Oi could handle th' job nicely f'r ninety cints." "Sure," sez th' boss, and th' wan dollar man gets out into th' crool woruld t' exercise hiz inalienable roights as a freeborn American citizen an' scab on some other poor devil. An' so it goes on, Hinnissey. An' who gets th' benefit? Thrue, it saves th' boss money, but he don't care no more f'r money thin he does his right eye.

"'It's all principle wid him. He hates t' see men robbed av their indipindence. They must have their indipindence, regardless av anything else.'

"'But,' said Mr. Hennessey, 'these open-shop min ye menshun say they are f'r unions if properly conducted.'

"'Shure,' said Mr. Dooley, 'if properly conducted. An' there we are: an' how would they have them conducted? No strikes, no rules, no contracts, no scales, hardly iny wages, an' dam few mimbers.'"

"THE ANIMAL SCHOOL"

(A fable of the administration of the school curriculum with special reference to individual differences.)

by Dr. G. H. Reavis
Assistant Superintendent
Cincinnati Public Schools

Once upon a time the animals decided they must do something heroic to meet the problems of a "new world", so they organized a school. They adopted an activity curriculum consisting of running, climbing, swimming, and flying; and to make it easier to administer, all the animals took all the subjects.

The duck was excellent in swimming, better in fact than his instructor, and made passing grades in flying, but he was very poor in running. Since he was slow in running, he had to stay after school and also drop swimming to practice running. This was kept up until his web feet were badly worn and he was only average in swimming. But average was acceptable in school so nobody worried about that except the duck.

The rabbit started at the top of the class in running, but had a nervous breakdown because of so much make-up work in swimming.

The squirrel was excellent in climbing until he developed frustration in the flying class where his teacher made him start from the ground up instead of from the tree-top down. He also developed 'charlie horses' from over-exertion and got C in climbing and D in running.

The eagle was a problem child and was disciplined severely. In the climbing class he beat all the others to the top of the tree but insisted on using his own way to get there.

At the end of the year, an abnormal eel that could swim exceedingly well and also run, climb and fly a little had the highest average and was valedictorian.

The prairie dogs stayed out of school and fought the tax levy because the administration would not add digging and burrowing to the curriculum. They apprenticed their child to a badger and later joined the groundhogs and gophers to start a successful private school.

Does this fable have a moral?

EMORY F. VIA

Director, Labor Program

SOUTHERN REGIONAL COUNCIL, INC.
5 FORSYTH STREET, N. W.
ATLANTA, GEORGIA 30303

522-8764 AREA CODE 404

18

Labor Education – Unions

Federation Pres. George Meany discusses the current state of affairs in the labor movement.

Labor Studies Center Operations Stress the Practical Approach

There are no ivy-covered walls at 1500 Massachusetts Avenue where the new AFL-CIO Labor Studies Center is located in Washington.

The curriculum of the training programs parallels the appearance of the facilities: practical and functional—designed for the immediate needs of the people in the labor movement.

Yet the expertise of the teaching staff in labor affairs and the availability of key officials in government and the trade union movement puts the center well beyond the scope of long established labor institutes at colleges and universities.

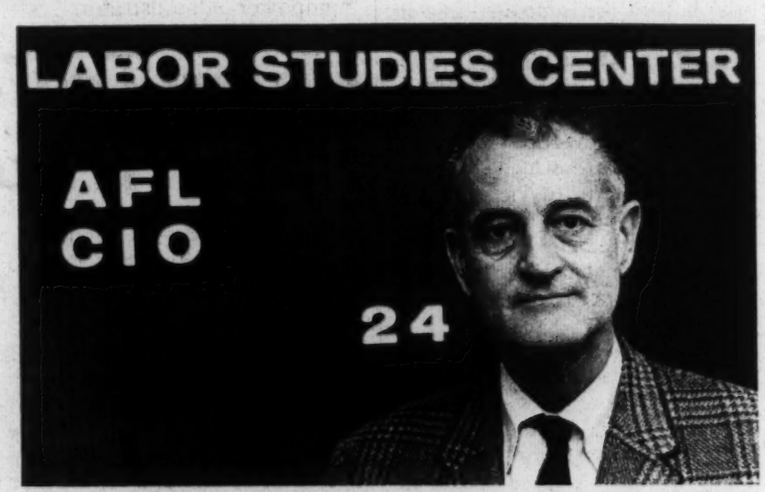
Twenty students in the initial staff development program represented a wide cross section of AFL-CIO affiliates in industrial and white collar unions and the building trades.

The teaching and administrative staff of the center is headed by Dir. Fred K. Hoehler, Jr., former professor and associate director of the School of Labor & Industrial Relations at Michigan State University.

Hoehler cited the particular advantage of locating the center in Washington because of the availability of experts in labor and government to supplement the regular teaching staff.

"Universities find it impossible to mass such a wealth of teaching talent readily available to come in as visiting lecturers," he observed.

The pool of "talent" includes congressmen and senators, officials of key government agencies and the Administration, department heads of the fed-



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The school day begins at 9 a.m. for a full schedule of classes running through 4:30 p.m. with a break for lunch at mid-day. Two nights a week the students return to the center for labor policy seminars.

Five of the three-week staff development programs will be offered during the first six months of operation. Simultaneously, one week institutes are being conducted, to cover special studies in civil rights, social security, labor education, urban affairs, state and local bodies, international affairs, organizing and political and legislative activities.

Packed into the staff development training is a curriculum calling for 15 hours of study in each of these areas: economics, social studies and effective reading.

An additional 18-20 hours are devoted to union history and current labor affairs. The participants also spend another 18-20 hours in special study projects.

A counseling service is provided to the students to prepare them for their research into the special projects. On completing their studies, they make a report on the subject to the class.

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"Universities find it impossible to mass such a wealth of teaching talent readily available to come in as visiting lecturers," he observed.

The pool of "talent" includes congressmen and senators, officials of key government agencies and the Administration, department heads of the federation and officers of a number of unions based in Washington.

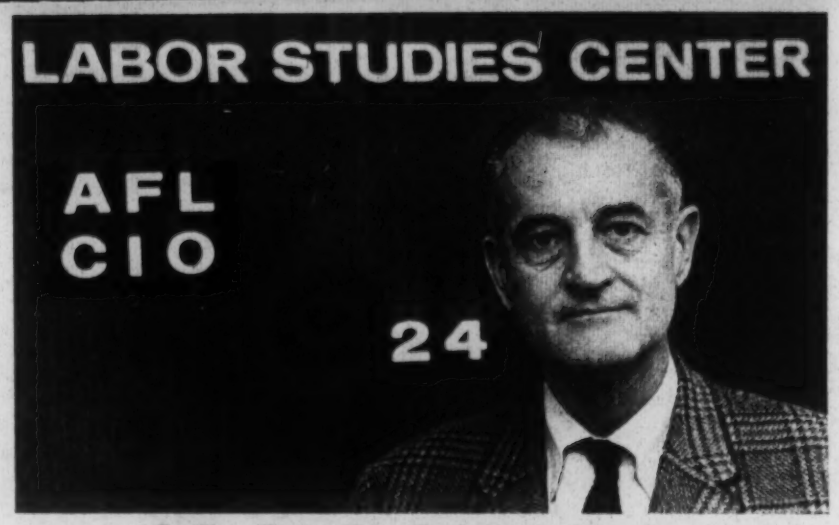
Among the first special lecturers was Federation Pres. George Meany, who discussed a wide range of topics affecting labor and internal affairs of the trade union movement.

Hoehler said that programs being developed at the center will not only supplement the labor studies now existing at colleges and universities, but should aid in improving the current programs on the nation's campuses.

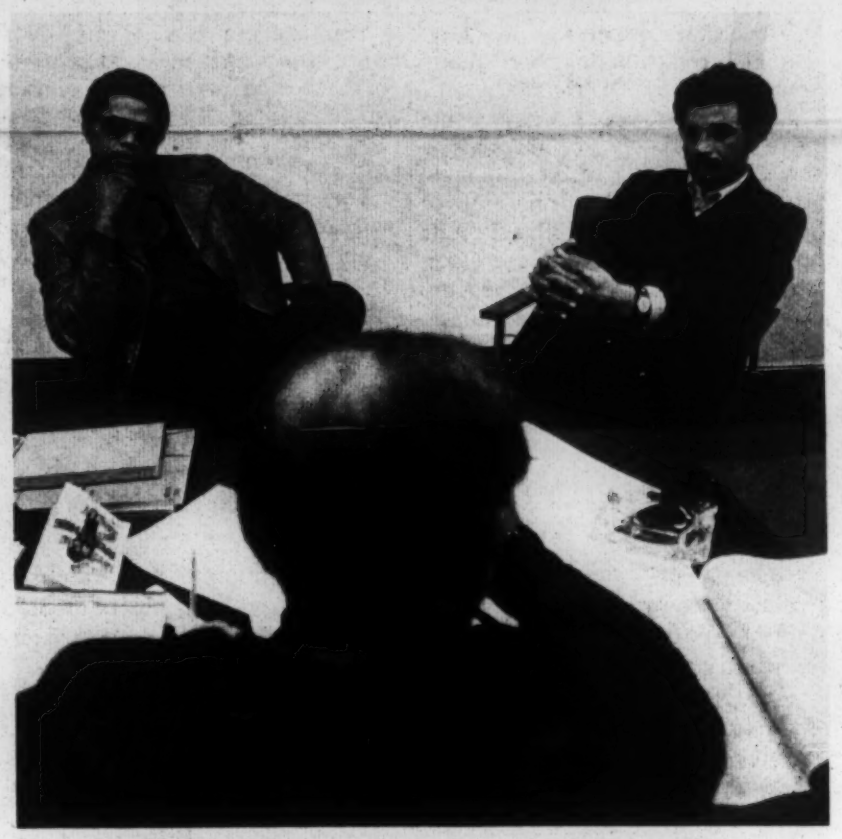
Long range proposals for the center are still fluid. But consideration is being given toward developing programs running for three to six months and later with 12-month terms.

AFL-CIO Sec.-Treas. Lane Kirkland told graduates of the first staff development program that the basic factor in the success of any new federation project such as the school is support from the international unions.

More than a school, the center is a "trade union environment," Kirkland said, in which people from different unions can work together, exchange new ideas and share experiences.

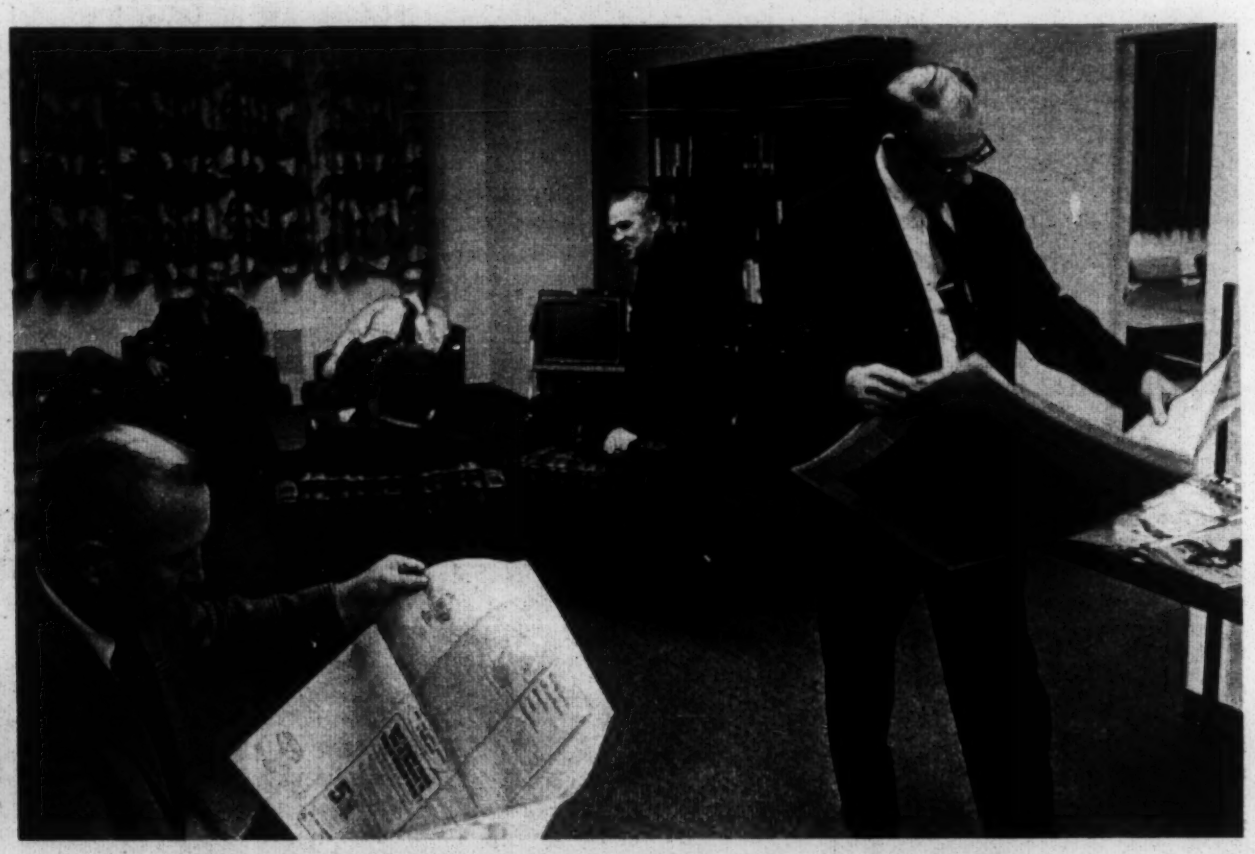


Studies Center Dir. Fred K. Hoehler, Jr.



Frederick Earle, left, and James Seals of the Workers Defense League are briefed by a counselor.

Coffee break topic: union activities.



Bull sessions and catching up on the news in the student lounge.

2,300-Worker Celco Plant Picks TWUA

Narrows, Va.—Bargaining rights for more than 2,300 workers at the Celco plant of the Celanese Corp. here were won by the Textile Workers Union of America in a recent National Labor Relations Board election.

The vote for the TWUA came as the contract between the Celco plant management and the International Union of District 50 ended. District 50 had had a contract with the synthetic fibers plant for 25 years.

Final results in the NLRB election, conducted over a three day period, were: TWUA 996; District 50, 919; Chemical Workers, 66; no union, 6. There was one challenged ballot and two were void.

TWUA Pres. William Pollock and Organizing Dir. Paul Swaity who headed the campaign, said the victory was greatly aided by the help of the AFL-CIO Dept. of Organization and other AFL-CIO unions.

A Rubber Workers local in Hopewell, Va., which switched from District 50 to the AFL-CIO last March, addressed a letter to each of the Celanese workers informing them that the change had made the Hopewell workers "happier and richer."

TWUA represents the three other acetate fibers plants of the Celanese Corp. located in Rome, Ga., Rock Hill, S.C., and Cumberland, Md. It also represents a number of other plants of the Celanese Corp. engaged in the manufacture of other products.

The Celco plant was the last remaining synthetic fiber plant represented by District 50.

Pollock said the TWUA would

APPRENTICESHIP OUTREACH program for Memphis, Tenn., will be established by the AFL-CIO Human Resources Development Institute in cooperation with the local building trades council. It will be financed by a Labor Dept. grant. Signing the agreement are U.S. Manpower Administrator Malcolm R. Lovell, Jr., left, and HRDI Pres. Julius F. Rothman. Standing are HRDI Executive Dir. Merlin L. Taylor and Robert Brown, associate manpower administrator.

Union Trainees Attend Poverty Conference

Oklahoma City—Training to develope more effective programs to combat poverty was keyed to be needs of 52 trade unionists at a labor-government conference here conducted by the University of Houston.

The trainees at the week-long conference represented 37 AFL-CIO state and local central bodies from eight southern, and Rocky Mountain states. Their course of instruction centered on federal anti-poverty programs and how union members can work with community action agencies.

The trainees came from Oklahoma, Texas, Arkansas, Mississippi, New Mexico, Arizona, Colorado and Wyoming. They will work in

training sessions to be conducted during 1970 by the University of Houston Center for Human Resources. Last year, the program trained 109 unionists.

In their home areas of operation, the trainees will work with fellow unionists in developing new community action activities to aid the poor or expand existing programs.

Hope to Keep Joblessness Down:

'70 Outlook Pitched To Low Growth Rate

(Continued from Page 1)

The report noted that Administration programs in manpower training and welfare reform "will also help cushion the impact of a temporary increase in unemployment."

Looking beyond 1970, the CEA projected GNP growth through 1975 and various forms of expenditures. It concluded that the projected claims, which assume "no addition to present federal non-defense programs beyond those already proposed by the Administration, would approximately absorb all available resources through 1973 and leave room for significant additions only by 1975."

The Administration budget proposals show mild increases in spending for crime and law enforcement, water pollution and a few other scattered programs in a very tight budget geared to a goal of curbing inflation.

The CEA's projections show a growth from an actual 1969 GNP of $932 billion to a 1975 GNP of $1,200 billion—an increase of $268 billion. The total increase of federal and state and local government purchases (read government programs) for the five-year period would be $13 billion, with federal funds dropping and state and local expenditures rising as part of the Administration's "new federalism."

In contrast, gross private investment, including construction, would increase $50 billion and personal

of inflation. Businesses find themselves selling in markets less receptive to price increases. This forces greater resistance to cost increases, including wage increases. These pressures against inflation will continue if demand remains below potential output, even though demand begins to rise more rapidly."

The President and his council conceded that their policy "courts the risk of some rise in unemployment," but Mr. Nixon said that his policies hold out the only hope of keeping "that risk low."

Expansion of the economy in the second half of the year, implying loosening of economic restraints, is geared to containing that "risk," the council said.

Business investment is expected to show a "strong further gain" of about 8 percent for 1970, housing starts will remain at their present critical low and government expenditures, including state and local, will remain about the same at least for the first half of the year.

Appeals Court Backs Women On Equal Pay

Philadelphia — The 3rd Circuit U.S. Court of Appeals has issued a decision which could have far-reaching effects on equal pay for women. The unanimous decision reversed a lower federal court's ruling in a case involving women employes of the Wheaton Glass

Corp. located in Rome, Ga., Rock Hill, S.C., and Cumberland, Md. It also represents a number of other plants of the Celanese Corp. engaged in the manufacture of other products.

The Celco plant was the last remaining synthetic fiber plant represented by District 50.

Pollock said the TWUA would move immediately to negotiate a new contract in the Celco plant to bring wages and conditions up to the level of the three other acetate fibers plants of the Celanese Corp. represented by TWUA. The contract is up for renewal this month.

Plumbers' Label to Go On Prefabricated Units

In-plant production and assembly of plumbing system components by union craftsmen got the go-ahead with the signing of a national agreement by the Plumbers & Pipe Fitters and American-Standard, Inc.

This is the first time the union has approved a plan for production of prefabricated plumbing system components by its members.

The production will involve piping, fixtures and fittings for use in bathroom and kitchen components to be installed in houses.

The agreement, signed in the office of Housing & Urban Development Sec. George Romney, was hailed as a move to increase the volume of available housing.

Prior to the agreement, the Plumbers & Pipe Fitters encouraged the fabrication of plumbing systems on the job sites rather than in the factory.

Under the agreement, factory assembled plumbing units will bear the union's label signifying that they were assembled by skilled union craftsmen. The systems then may be shipped to all other union local jurisdictions for installation.

Provisions of the agreement call for use of so-called "industrialized" plumbers, a classification in addition to the traditional journeymen.

Wage rates and fringe benefits for the production plumbers will be negotiated locally and are to be based on the economic conditions existing in surrounding areas, the union said.

Pres. Peter T. Schoemann of the Plumbers & Pipe Fitters said the new agreement represents an innovation "designed to solve one of the greatest challenges of our times —more jobs for more people."

Schoemann noted that in recent months the Plumbers & Pipe Fitters have adopted other innovative steps toward expanding job opportunities and meeting the nation's housing crisis.

He referred to the training program for minority group members for the pipefitting trades and the agreement with a building firm for factory prefabrication of modular homes.

Teachers to Study L.A. Pilot Merger

The American Federation of Teachers will not participate in any more mergers on the city level for the time being, AFT Pres. David Selden said in releasing terms of a merger agreement between AFT Local 1021 and the Association of Classroom Teachers, Los Angeles.

"We view the Los Angeles merger as an experiment in teacher unity," Selden said. "We do not intend to participate in any more pilot projects on a city level until after we have seen the effects of the Los Angeles endeavor." It took effect Feb. 1.

from eight southern, and Rocky Mountain states. Their course of instruction centered on federal anti-poverty programs and how union members can work with community action agencies.

The trainees came from Oklahoma, Texas, Arkansas, Mississippi, New Mexico, Arizona, Colorado and Wyoming. They will work in their home states to expand opportunities for disadvantaged citizens.

The union leaderships training program is funded by the Office of Economic Opportunity and labor organizations from the eight states.

This was the first of three during 1970 by the University of Houston Center for Human Resources. Last year, the program trained 109 unionists.

In their home areas of operation, the trainees will work with fellow unionists in developing new community action activities to aid the poor or expand existing programs. OEO-labor representatives will be sent throughout the eight-state region to assist the trainees over the next several months.

Most of the trainees will return to a follow-up conference in about three months.

Key participants in the Oklahoma City training conference were Julius Rothman, associate director of the AFL-CIO Dept. of Urban Affairs, and George Guernsey, assistant director of the AFL-CIO Dept. of Education.

A number of other manpower and labor specialists took part in the daily workshops at the conference. Dr. J. Earl Williams is project administrator for the joint OEO-Union Leadership Program which parallels similar efforts in Appalachia and in New England.

A one-day conference also was held recently in Joplin, Mo., for union representatives sponsored by the Southwest Missouri Labor Council and the OEO. It covered a number of government poverty programs including housing, community agencies, manpower, VISTA and legal services.

Cave Guides Pick Service Employes

Guides at Mammoth Cave, Ky., have chosen Service Employes Local 557, Louisville, Ky., as their exclusive collective bargaining representative.

The new unit, said by SEIU to be the first of its kind in the national parks, includes 44 guides who conduct several hundred thousand tourists through 150 miles of winding trails in southern Kentucky.

The union won recognition from the regional National Park Service under Executive Order 10988, setting the terms under which a union may be chosen as exclusive representative. The guides have named committees to prepare proposals for a first agreement.

ment purchases (read government programs) for the five-year period would be $13 billion, with federal funds dropping and state and local expenditures rising as part of the Administration's "new federalism."

In contrast, gross private investment, including construction, would increase $50 billion and personal consumption expenditures by $193 billion.

The President, in his message to Congress, called 1969 a year of progress in the fight against inflation as the rate of price increases began to level out. He said the outlook for a slowdown in the rate of consumer prices "is a reasonable expectation" in 1970.

McCracken told a press briefing that he was looking for a 3.5 percent rate of inflation in the final three months of 1970 compared to a rate of 4.7 percent for the same period in 1969.

The Administration's economic policy of combatting inflation by slowing economic growth was spelled out by the CEA when it said that by mid-1970 "the economy, after three quarters of very little increase of real output, would be producing significantly below its potential. Such a GNP gap places a downward pressure on the rate

On Equal Pay

Philadelphia — The 3rd Circuit U.S. Court of Appeals has issued a decision which could have far-reaching effects on equal pay for women. The unanimous decision reversed a lower federal court's ruling in a case involving women employes of the Wheaton Glass Company's plant at Millville, N.J.

The case could involve as much as $250,000 in back pay for the women involved. The Secretary of Labor took the case to court as a violation of the Equal Pay Act of 1963, which prohibits separate pay scales for women.

The lower court ruled that the Labor Dept. had not proved that the 21.5 cents less per hour paid to selector-packers was based solely on discrimination by sex. But the higher court reversed the ruling, stating that the employer may not escape the provisions of the Equal Pay Act by making artificial job classifications.

The decision pointed out that the provisions of the Act do not require that jobs be identical, but only that they be substantially equal in order for women to receive the same pay.

Russian Unions 'Police,' But Not for Grievances

New York—Russia's so-called labor organization has called for a national crackdown on workers who are guilty of "absenteeism, loafing and drunkenness," according to the New York Times.

Its correspondent, Bernard Gwertzman, reported on a resolution adopted by the All-Union Central Council of Trade Unions which urged action "by all means possible" against "violations of work and production discipline."

Punishment would range from reprimands by friends and "condemnation" at workers' meetings to trials by "comradely courts," which could strip offenders of vacations, sick pay and other benefits.

Gwertzman pointed out that unions in Russia are an arm of the Communist party and, in effect, pass on to workers the decisions of the government. The union's obligation to protect workers against unjust employer decisions poses some difficulty, he noted, since managements also are under party control.

THE SCHOOL FOR WORKERS
EXTENSION DIVISION
UNIVERSITY OF WISCONSIN
ANNOUNCES

AN ADVANCED SEMINAR FOR FULL-TIME UNION OFFICIALS

JULY 6-10, 1964
MADISON, WISCONSIN

1

PENSIONS
and
HOSPITAL-MEDICAL PLANS

and
SIGNIFICANT DEVELOPMENTS IN

Manpower Planning
Poverty Programs
National Political Scene

CLEAR newsletter

PUBLISHED BY THE CENTER FOR LABOR EDUCATION AND RESEARCH, DEPARTMENT OF ECONOMICS, UNIVERSITY OF COLORADO, 102 WOODBURY HALL, BOULDER, COLORADO 80304

NUMBER 1 FEBRUARY 1964

LABOR EDUCATION PROGRAM OFF TO A GOOD START

. . . . . NOTICE . . . . .

CLEAR sponsors Special Symposium on Employment with Colorado Labor Council

A special symposium on the "Economic, Political and Psychological Aspects of Employment" is scheduled at the Hotel Albany, 1411-17th St., Denver, on May 22-23. Sponsored in cooperation with the Colorado Labor Council, the program will bring together experts from labor, government and the academic community to discuss one of the most basic problems facing America.

Out of state speakers will include: Nat Goldfinger, Washington, D.C., Director of Research, AFL-CIO; Prof. Joel Seidman, University of Chicago and a representative of the President's Council of Economic Advisors. University of Colorado faculty members on the program include: Professors Leslie Fishman, Michael Kalk, Dorothy Martin, and George Zinke. Others are: Prof. Donald Seastone, CSU, and Prof. John S. Gilmore, of Denver University (invited), and William Bailey, Director of the Denver office of Manpower, Automation and Training.

Sessions will begin at 7:15 P.M. on Friday the 22nd and continue through Saturday afternoon. The registration fee is $6 per person, including Saturday luncheon. Checks should be made payable to the University of Colorado and mailed to CLEAR, 102 Woodbury Hall, Boulder.

Unions are invited to consider sending representatives,- at their next meeting. Please use the application blank on the back page.

Over 300 Enrolled in Short-Courses by Feb. 1

Labor Education short-courses have been held or are scheduled in seven of the State's eight Central Labor Bodies since Professor Walter H. Uphoff, formerly Director of Labor Education at the University of Minnesota, joined the CU faculty last July.

Courses given to date include "Leadership Training", "Union Administration", "The Worker as a Citizen", and "Steward Training". A course on "Effective Speaking on Current Labor Issues" is scheduled to begin at Fort Collins in March.

The largest class to date was held at Grand Junction for the Trades & Labor Assembly January 30th to February 1st, where 64 persons from 12 locals participated.

Other courses offered by CLEAR this fall and winter include:

LaJunta (Otero County Central Labor Council): Three week-end courses in October, November and December - 25 enrolled from 7 locals.

Denver Area Labor Federation: An 8-week course on "The Worker as a Citizen" - with 33 enrolled from 16 locals. Another course with 31 enrolled began February 5th.

Northern Colorado Labor Council: Four sessions at Fort Collins and 4 at Greeley with 37 enrolled from 8 locals.

Colorado Springs Area Labor Council: Two all-day Saturday sessions held to date and another scheduled for March 14th.

Colorado Union of Public Employees (CUPE) at Pueblo had 24 persons from public employee locals in that area take part in an introductory course on "Grievance Procedure for Public Employees" on December 5th.

(Continued on page 3)

CLEAR newsletter

PUBLISHED BY THE CENTER FOR LABOR EDUCATION AND RESEARCH, DEPARTMENT OF ECONOMICS, UNIVERSITY OF COLORADO, BOULDER, COLORADO 80304

NUMBER 3 AUGUST 1965

COURSE ON "COLLECTIVE BARGAINING" TO BE GIVEN AT DENVER CENTER THIS FALL

Economics 462, "The Economics of Collective Bargaining" will be given at the Denver Center on Friday evenings from 5:35 to 7:55 starting September 24 and continuing until January 28. The course will be taught by Professor Bob Repas of Michigan State University who will be on the CLEAR staff part-time for 1965-66. This is one of the courses which Professor G. W. Zinke teaches at Boulder and which he has also taught at the Denver Center.

While pre-requisites and permission of instructor are required for college credit, adults who may not have all the required background can also take the course, but without receiving credit. The fee is $39. Persons interested in registering for the course are urged to contact the Denver Center, 1100 14th St. for a bulletin. Phone 244-6081. Registration dates are Sept. 14 for graduate students from 4:00 to 7:30 P.M. Undergraduate students M through Z, 10:00 A.M. to 1:00 P.M. and 4:00 to 7:30 P.M. on Sept. 15. Undergraduates A through L will be registered at the above hours on Sept. 16. There will be an additional fee for late registrants

Professor Bob Repas of Michigan State University Joins CLEAR Staff for 1965-66

Bob Repas, Associate Professor of Labor and Industrial Relations at Michigan State University will be on sabbatical leave from that institution and has agreed to assist CLEAR with its labor education programs on a half-time basis this year. His other time will be spent doing research on collective bargaining among public employees.

Bob has had extensive experience in labor education and will be a welcome addition to the staff. He worked with AFSC&ME Chemical Workers and the ACW. He also taught at the University of Wisconsin School for Workers and was Labor-International Affairs Rep. for the American Friends Service Committee before joining the faculty at Michigan State. In 1949-50 he had a labor fellowship at Ruskin College in England.

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Unions desiring help from CLEAR in developing their educational programs are invited to write to:

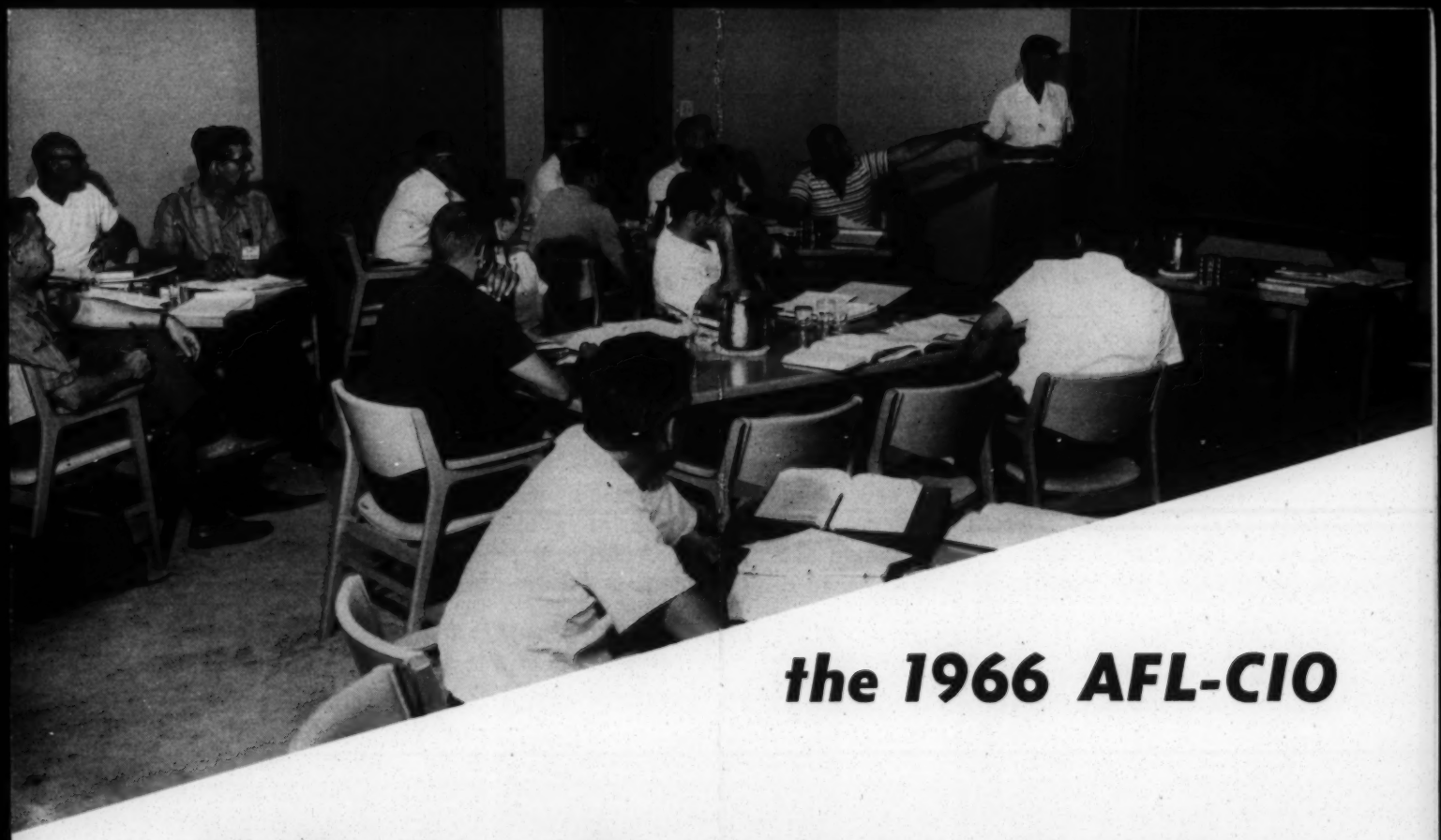
Center for Labor Education and Research
(CLEAR) Department of Economics
119 Macky, University of Colorado
Boulder, Colorado 80304
or call 442-2211 Ext. 6162

****

"Role of Labor" Course at Denver Center - Second Semester.

Social Science #312, a 3-credit course on "The Role of Labor in the 20th Century" has been given twice on the Boulder Campus and was given at the Denver Center during the spring semester. Twelve union members and eleven students with no union affiliation took the course. Unions represented included: AFT, Bricklayers, Fire Fighters, ITU, Teamsters, Machinists, Pressmen, Lathers, Brewery, Lithographers, Plumbers and Rubber Workers. Five students, who were eligible, took the course for graduate credit by doing heavier assignments.

Unions and union members interested in this course are invited to contact CLEAR or the Denver Center for details before the second semester begins. The course will again be taught by W. H. Uphoff, Professor of Economics & Director of Labor Education.



the 1966 AFL-CIO

Collective Bargaining Institute

for full-time union representatives and staff members

- May 17-25, 1966
- on the campus of the University of Wisconsin, Madison, Wisconsin

sponsored by

the School for Workers,
the University Extension Division,
the University of Wisconsin

the AFL-CIO
Department of Education

17 17

An Institute for Labor and Management

COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT

Wednesday, July 6, 1966
to
Saturday, July 9, 1966

on the campus
of the University
at Madison

TRADE UNION CLASSES Winter 1966

for union members and officers in the Milwaukee area

The School for Workers, University of Wisconsin Extension Division; The Milwaukee Vocational, Technical and Adult Schools; and the Milwaukee area labor movement join in sponsoring two winter classes for Milwaukee area union members and officers. Classes are open to all men and women interested in studying problems of the trade union movement.

Classes meet at the Milwaukee Vocational, Technical and Adult Schools, 1015 North 6th Street. Each class meets once a week for nine weeks from 7:20 p.m. to 9:20 p.m., starting the first week in January. Starting dates and room numbers are noted below.

CLASSES

LABOR RELATIONS AND THE LAW

—starts Monday, Jan. 3, 1966 in room C 202

The provisions of the Taft-Hartley Act as they relate to union organization, contract negotiations and union administration. . . . Recent Labor Board and Court decisions affecting labor relations. . . . Current proposals for amending Taft-Hartley. . . . The provisions and applications of the Wisconsin Peace Act. This class will provide a good background in federal and state labor law for union members, stewards and officers.

GRIEVANCE HANDLING AND CONTRACT ADMINISTRATION

—starts Thursday, Jan. 6, 1966 in room C 202

The development of an effective shop steward system. . . . Handling grievances at various levels of the grievance procedure. . . . The scope of the grievance procedure. . . . The theory and practice of grievance arbitration. . . . Preparing and presenting grievances to an arbitrator. This course offers union members, stewards and officers an opportunity to learn facts relating to grievance handling and arbitration, with a chance to apply these principles in mock grievance situations.

REGISTRATION

Interested persons may register in Room 227, Milwaukee Vocational, Technical and Adult Schools, 1015 North 6th Street anytime before 7:20 p.m. on the night of the first class session (early registration is advisable). Registration fee for Milwaukee residents is $3.00 ($7.50 for non-residents). Milwaukee residents who registered in the fall program of union classes are not required to pay additional fees, since the fall registration fee covers winter and spring classes; however, they must still register for the class.

PRE-REGISTRATION FORM

Please fill out, clip and mail this form to Irving Brotslaw, School for Workers, University of Wisconsin Extension Division, 600 W. Kilbourn Ave., Milwaukee, Wisconsin, 53203. DO NOT SEND MONEY WITH THIS FORM. YOU SHOULD PAY YOUR FEE WHEN YOU REGISTER FORMALLY AT THE MILWAUKEE VOCATIONAL, TECHNICAL AND ADULT SCHOOLS.

NAME..... Phone.....

ADDRESS..... Zip.....

Local union number..... International.....

I plan to register for (check either or both):

- ☐ Labor Relations and the Law
- ☐ Grievance Handling and Contract Administration

100 copies

For Theres AR → use a color
100 copies

~~SCHOOL FOR WORKERS~~
~~UNIVERSITY OF WISCONSIN~~

Labor Program
Southern Regional Council

PURPOSES OF THE LOCAL UNION MEETING

1. To make the decisions that carry out the business of the local.

2. To inform the members about what has happened since the last meeting, what is happening at the time of the meeting, and what may be happening in the future - plus an explanation as to why these things are happening.

3. To educate the members in the principles, ideals and methods of the union and the labor movement.

4. To give the members an opportunity to speak their minds.

5. To develop a feeling of solidarity among the membership.

PROBLEMS INVOLVED IN SECURING GOOD ATTENDANCE

1. Members who feel that they must have a specific gripe before it is worth their while to attend the meeting.

2. Competition from outside interests and activities.

3. Absence of any firm pressures on members to secure their regular attendance - the feeling which some have that they do not need to attend in order to maintain their own self respect or the respect of their fellows.

4. Lack of understanding on the part of some as to the purposes of the union meeting - and of the purposes, principles, ideals and methods of the labor movement in general.

5. Inadequate publicity as to the date, time, purpose and business of the meeting - and not just the amount of publicity or the size of the notice, but the way in which the publicity is prepared.

6. The way in which some meetings are run, including:

   a. no opportunity for personal growth and development

   b. meetings which are too long, too dull or poorly organized

   c. domination of the meeting by one or two vocal members.

   d. discussion of subjects which involve only a very few of those who are present

   e. discussion which is not on the subject

   f. prolonged discussion on minor points which could be referred to a committee for investigation, report, action, etc.

   g. use of parliamentary procedure in a fashion which is beyond the understanding or experience of a majority of the members, and/or the mis-use of the procedure by some members.

100 copies
on a color if possible

Union Administration
~~April, 1965~~

School for Workers
University of Wisconsin

IMPROVING THE WORK OF COMMITTEES

WHY HAVE COMMITTEES AT ALL?

A committee enables several persons to pool their resources, experience and interests in solving a problem or doing a job where one person couldn't do it as well. ~~alone.~~

PURPOSE

The purpose of the committee should be clearly defined. Its assignment should be clear and its specific job spelled out. Is it to

- diagnose a problem?
- suggest solutions?
- reach a decision?
- find facts?
- develop a program?
- make recommendations?
- deliver a report?
- take action?

SIZE

The size of a committee should include enough members to be able to carry out the job. It should probably be no more than 12.

SELECTION

Selection should be made in person. If faced with the situation, "Nobody will volunteer" perhaps the committee is not meeting a ~~felt~~ need. Most people will volunteer if the circumstances are right and their interests are affected.

PROBLEMS OF THE CHAIRMAN

What are the functions of a good committee chairman?

- believes in arriving at group solutions
- does all he can to bring out ideas and suggestions
- moves group forward from discussion to action
- helps group see its place in the overall union effort
- clarifies goals for the group
- makes group aware of success as it moves towards its goal

What about his relations with other members of the committee

- has confidence in other members
- wants to give members the chance to contribute
- willing to give up chairman's "prerogatives"
- feels the job is more important than his own importance

DEMOCRATIC APPROACH

Committees work best if they operate democratically with members fully participating in making and carrying out the decisions of the group.

THE AGENDA

Committee meetings should have regular agendas. The agenda should be jointly arrived at with the committee members having a full part in determining what the committee will work on and how.

COMMITTEE MEMBERS

A member on a committee has as much responsibility as the chairman for the success of the committee. Anyone who helps the group define its goals and helps move the group toward those goals is performing a leadership function.

THREE TYPES OF COMMITTEE MEMBERS

1. Self-Centered Members

   a. Blocker b. Hair splitter c. Agressor d. Playboy

   e. Recognition seeker f. Self-confessor g. dominator

   h. Special interest pleader

2. Group-Centered Members - Concentrates on Process

   a. Clarifies issues b. Harmonizes c. Compromises

   d. Expedites e. sets standards f. Observes

   g. Follows others suggestions

3. Task-Centered Member - Concentrates on Content

   a. Makes suggestions b. Gives opinions c. Gives facts

   b. Asks for information e. Elaborates f. Initiates ideas

   g. Orients h. Evaluates i. summarizes

~~THE SUCCESS OF A COMMITTE: DEPENDS ON THE DISTRIBUTION OF~~ THE LEADERSHIP FUNCTION!

NEW LEADERS

See Note

The problems of developing new leadership is very real for most local unions. The idea of co-chairman has great merit in bringing in new leadership. Co-chairman brings up fresh leaders. In addition, co-chairmen tend to make both more reliable and dependable, it is a sure way to train new leaders and provides for continuing leadership in case one leader is no longer in the situation.

Committees can serve as a place to develop leaders. New leaders can gain experience, develop understanding of the local, its members and problems. To have co-chairmen sometimes is a useful way to encourage the growth of a leader.

Union Administration

UNION ADMINISTRATION
March-April, 1965

University of Wisconsin
School for Workers

WHAT MAKES COMMITTEES WORK?

A. They must have a well-defined function;

B. They must have attainable goals;

C. They should have deadlines;

D. They should be required to report regularly;

E. They should consult with responsible union officers on progress;

F. They should be given recognition

By reporting at meetings;

By mention in the local paper;

By awards, prizes, by badges, jackets or armbands.

G. They should be recruited among people who are interested in the activity.

H. Recruiting should be personal;

I. Once recruited they should be elected, or if appointed, they should be given an official credential;

J. They should have authority to do what they are supposed to do;

K. They should be allowed a budget to spend for their purposes;

L. Meetings ~~should~~ could be held in connection with social events;

M. Rewards in connection with their activities should go to the committee members - for example, education committee members should go to Education Conference; fair practice to Fair Practice Conference.

N. At least once annually some meeting should focus on their activities.

Trade Union Classes – Fall 1964

– for Milwaukee area –

TRADE UNION MEMBERS AND OFFICERS

—COSPONSORED BY—

THE SCHOOL FOR WORKERS, UNIVERSITY OF WISCONSIN
THE MILWAUKEE SCHOOL OF VOCATIONAL AND ADULT EDUCATION
THE MILWAUKEE AREA LABOR MOVEMENT

Classes are open to all men and women interested in studying the problems of the trade union movement.

Classes meet at the Milwaukee Vocational School, 1015 N. 6th Street.

Each class meets once a week from 7:15 p.m. to 9:15 p.m. for nine weeks starting the first week of October (see specific dates below).

CLASSES

STEWARD TRAINING AND GRIEVANCE HANDLING

Starts Tuesday, October 6, 1964 at 7:15 p.m.

This class examines the duties of the steward, why grievances arise, recognizing grievances, preparing and presenting a grievance, strengthening the grievance procedure and the steward's larger role as union officer and leader.

SPEECH AND PROCEDURES OF A UNION MEETING

Starts Thursday, October 8, 1964 at 7:15 p.m.

This class is designed to help you improve your ability to communicate ideas to others in union meetings and to help run more interesting and effective meetings. The class will devote ample time to practical work in public speaking and in conducting mock union meetings.

REGISTRATION INFORMATION

INTERESTED PERSONS MUST REGISTER AT THE MILWAUKEE VOCATIONAL SCHOOL, 1015 N. 6TH ST. ANY TIME BEFORE 7:15 P.M. ON THE NIGHT OF THE FIRST CLASS. A REGISTRATION FEE OF $3.00 IS REQUIRED.

PLEASE CLIP OUT THIS COUPON AND RETURN TO: IRVING BROTSLAW, SCHOOL FOR WORKERS, UNIVERSITY OF WISCONSIN, 600 W. KILBOURN AVE., MILWAUKEE, WISCONSIN

Name.....Address.....

Local.....International.....

I PLAN TO ENROLL IN THE FOLLOWING FALL CLASS OR CLASSES:

Steward Training and Grievance Handling ☐ Speech and Procedures of a Union Meeting ☐

The School for Workers
University Extension Division
432 North Lake Street
Madison, Wisconsin 53706

Non-profit Organization
U.S. Postage
PAID
Madison, Wisconsin
Permit No. 658

THE NEW LONDON CENTRAL LABOR COUNCIL, AFL-CIO
IN COOPERATION WITH

labor education center

CONTINUING EDUCATION SERVICES, THE UNIVERSITY OF CONNECTICUT

ANNOUNCES: LABOR LAWS AND LABOR LEGISLATION

This eight-session course, which begins on Friday evening, January 7, 1965, will cover important state and federal laws that affect the labor movement. This course will be as topical as today's newspaper headlines—in fact, it will be based on important labor-management court and NLRB decisions that are being reported in the daily press. How is automation being countered by the labor movement? Also the federal and state laws that affect the labor movement: Unemployment Compensation, Workmen's Compensation, and Social Security (Including Medicare).

The class will examine the latest provisions of these laws with particular attention on how they affect the individual and his family. University certificates will be awarded to those who complete the course.

Instructor: Assoc. Professor Joseph Smolen

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DATES: Friday afternoons or evenings - January 7, January 14, January 21, and January 28; February 4, February 11, February 18, and February 25. You may attend either the afternoon or evening sessions.

TIME: 1:00 p.m. to 3:00 p.m. 7:30 p.m. to 9:30 p.m.

PLACE: Afternoon session - Place to be announced.
Evening session - New London High School (Chapman Building Entrance on Waller Street), New London, Conn., Room C36

COST: $5.00 per student for the entire eight-session course. (Make checks payable to the "Education Committee, New London Central Labor Council"). Use the form below to register.

- -

Mr. Lloyd Middleton
New London Central Labor Council
111 Stillman Avenue
Pawcatuck, Connecticut

We wish to enroll the following members in the course on Labor Laws and Labor Legislation:

1. NAME_____ADDRESS_____
2. NAME_____ADDRESS_____

for afternoon session____; evening session____ (check one)
(Use the back of this form for additional names).

Signed: NAME_____Local No._____
TITLE_____

THE UNIVERSITY OF CONNECTICUT 1881

LEC

THE SCHOOL FOR WORKERS
EXTENSION DIVISION
UNIVERSITY OF WISCONSIN
ANNOUNCES

AN ADVANCED SEMINAR FOR FULL-TIME UNION OFFICIALS

JULY 6-10, 1964
MADISON, WISCONSIN

1

PENSIONS
and
HOSPITAL-MEDICAL PLANS

and
SIGNIFICANT DEVELOPMENTS IN

Manpower Planning
Poverty Program
National Political Scene

THE

LABOR EDUCATION DIVISION

of

ROOSEVELT UNIVERSITY

invites you to

LEADERSHIP CERTIFICATE AWARDS PROGRAM

Friday, May 28, 1965

We are honored to present

The Honorable Paul H. Douglas

Senator from Illinois

5:00 P.M. - 6:00 P.M. ..... RECEPTION
Sullivan Room (Second Floor)

6:00 P.M. - 7:00 P.M. ..... DINNER
Dining Room (Second Floor)

7:00 P.M. - 8:15 P.M. ..... PROGRAM

"The Great Society" . . . Senator Paul H. Douglas

Awarding of Certificates . . . Frank McCallister, Director

ROOSEVELT UNIVERSITY
430 S. Michigan Avenue
Chicago, Illinois 60605

52

CERTIFICATE

1964 -

LONG TERM

LABOR LEADERSHIP IN

Louis Alvarez, USA
Leon Albritton
Joseph Angilello, FW
Charles Baker, UFPC
James Balanoff, USA
Joseph Barton, USA
Rev. Donald Beisswenger
Jerry Broaddus, IBT
Carrie Brown, OEIU
Alphonso Butler, OCAW
Phil Cappitelli, CTD (Ind.)
George Chigas, USA
Anthony Columbus, UFPC
Walter Condro, UP & P
Verranzo De Sadier, UAW
Aurelio Dinaso, NABET
John Dopp, CPPU
Ellsworth Filhe, OEIU
Ray J. Florek, NASDM
Stanley Forcht, USA

Sherman Ford, USA
Joseph Gadas, NASDM
George Gambino, IAM
Don Glenn T & NWU
Walter Green, USA
William Greaney, IBEW
Joseph Gyurko, USA
John Hanlon, IBEW
Fred Heise, IBEW
Ron Henrichs, IBT
Ephriam Henry, USA
Victor Horvath, IAM
George Hudack, USA
Sam Indovina, RCIA
Warren Jennings, IBEW
Harry Johnson, NABET
Ollie Johnson, CDREU
Clarence Jones, UPWA
Sherman Jones, T & NWU
John Julian, TWU

S GRANTED

1965

PROGRAM

A DYNAMIC SOCIETY

Harry Just, AFGM
Mitchell Kapalka, TWU
Edward Kawecki, USA
Ralph Kirby, USA
Richard Koontz, IAM
Eugene Kurowski, IBEW
Kenneth Laffey, BSEIU
Leslie Land, UP & P
Leon Lynch, USA
Lil Le Hew, ACWA
Johanna Leur, OCAW
Sergio Mancini, IBEW
Michael Manning, IBEW
Sam Matyas, IBT
William Michalski, OCAW
Bennett Mickle, BM & PIU
Arthur Miller, UP & P
Marilynne O'Dea, BSEIU
Mario Paras, B & WU
Cas Paprocki, IAM

Al Perez, USA
Ed Perez, USA
Lorean Poindexter, OEIU
Robert Pulliam, USA
Glenn Robinson, NABET
Mario Rovetto, T & NWU
Don Sanders, NABET
John Schwan, IBEW
Ray Silva, USA
Bertha Smith, UAW
Agnes Sylvester, RCIA
John Todd, IBEW
Eunice Torrienti, SC & MW
Robert Urquhart
Dean Venable, UP & P
William Whelan, BPD & P
Robert Wiggins, OCAW
Martha Wilson, ACWA
Valerie Wolnick, CWA
James Wright, USA

CERTIFICATES GRANTED

1964 - 1965

LONG TERM PROGRAM

ADVANCED STUDIES FOR LABOR LEADERS

Edward P. Altman H & RE
Clifford Anthony RCIA
Sarah Blue, T & NWU
Dorothy Bravi, RCIA
Verilee Cain, MM & S
Henry Caputo, USA
Christopher Cannon, BPD & P
Phil Cappitelli CTD (Ind.)
Wendell Carpenter, UAW
Carole Claeys, RCIA
Ernestine Crawford, ILGWU
Ann Ellington, OEIU
Joseph Falcone H & RE
Winfield Ferry, BRT
Patrick Fleming, IBEW
John Gomez, USA
McKinley Harris, USA
Herman Head, UAW
Nathan Jackson, USA
Robert Janney, IBEW
Allan Just, OCAW
Earl Kinton, ITU
Lawrence Kroenert, BRT
Adaline Markel, IBEW
Earl Menet, IBEW
Margaret Menet, AFT
Wayne Miller, UAW
James Murray, FGM
Rudy Nashan, AFM
Louis Rowitz, BLE
Norman Rugen, IBEW
Ella Saunders, SC & ME
Robert Simpson, IBT
Roy Skinner UIU
William Stewart, USA
Peter Tilsk, OCAW
Bernard Van Ausdall, BRT
Leonard Zolna, IBEW

CORNELL UNIVERSITY

The New York State School of Industrial and Labor Relations
A Contract College of the State University **EXTENSION DIVISION**

AMERICAN NURSES ASSOCIATION NURSING LEADERSHIP CONFERENCE
Ithaca, New York
June 21 - 23, 1965

Conference Schedule

Monday, June 21

8:45-9:00 a.m.	Registration	Lobby Conference Center

Collective Bargaining and the Nursing Profession

-- George Brooks
-- Donald Cullen
-- Sara Gamm

9:00-9:15 a.m.	Introduction	Room 300
9:15-10:15 a.m.	Planning a Bargaining Agenda (two groups)	
	COFFEE BREAK	
10:30-11:00	Reports from Discussion Groups	
11:00-12:00	Background of Bargaining Unit determination Legal framework	
	LUNCHEON	
1:30-3:00 p.m.	Mock Bargaining Session	
	COFFEE BREAK	
3:15-4:30 p.m.	Problems in Negotiations Resolution of disputes, impasses	
7:30-9:30	The Economics of the Hospital Industry -- Duncan MacIntyre	Room 300

Tuesday, June 22

The Collective Agreement and Handling Grievances — Room 300

-- George Brooks
-- Donald Cullen
-- Sara Gamm

9:00-10:00 a.m. The Collective Agreement
Significance of various contract provisions
Membership security provisions

COFFEE BREAK

10:15-11:00 a.m. Grievance Procedures
Comparison of different procedures
Arbitration of grievances

11:00-12:00 Handling Grievances (two groups)

LUNCHEON

1:30-3:15 p.m. Handling Greivances (two groups)

COFFEE BREAK

3:30-5:00 p.m. The Role of the Professional Organization — Room 300

-- Alice Cook

Meaning of professionalism
Collective bargaining and the professional

Wednesday, June 23

9:00-12:00 a.m. Building a Local Unit Program — Room 300

-- Alice Cook

Problems of membership participation
Use of committees
Planning a local unit meeting

12:15-2:00 p.m. LUNCHEON and Certificate Presentation — Sun Room, Statler Inn

2:15-4:00 p.m. The Relation of the State Association to the Local Unit — Room 300

-- Alice Cook
-- State Association Staff

CONFERENCE STAFF

Conference Chairman: Ronald Donovan, Associate Professor and Extension Specialist, NYSSILR, Cornell University

George W. Brooks, Professor, NYSSILR, Cornell University

Alice H. Cook, Professor, NYSSILR, Cornell University

Donald E. Cullen, Associate Professor, NYSSILR, Cornell University

Sara Gamm, Extension Specialist, NYSSILR, Cornell University

Duncan MacIntyre, Professor, NYSSILR, Cornell University

* * * * * * * * * *

June Smith, Conference Secretary

Irene Grant, Conference Secretary

Peggy Miller, Conference Secretary

James Campbell, Conference Assistant

CLEAR newsletter

PUBLISHED BY THE CENTER FOR LABOR EDUCATION AND RESEARCH, DEPARTMENT OF ECONOMICS, UNIVERSITY OF COLORADO, BOULDER, COLORADO 80304

NUMBER 3 AUGUST 1965

COURSE ON "COLLECTIVE BARGAINING" TO BE GIVEN AT DENVER CENTER THIS FALL

Economics 462, "The Economics of Collective Bargaining" will be given at the Denver Center on Friday evenings from 5:35 to 7:55 starting September 24 and continuing until January 28. The course will be taught by Professor Bob Repas of Michigan State University who will be on the CLEAR staff part-time for 1965-66. This is one of the courses which Professor G. W. Zinke teaches at Boulder and which he has also taught at the Denver Center.

While pre-requisites and permission of instructor are required for college credit, adults who may not have all the required background can also take the course, but without receiving credit. The fee is $39. Persons interested in registering for the course are urged to contact the Denver Center, 1100 14th St. for a bulletin. Phone 244-6081. Registration dates are Sept. 14 for graduate students from 4:00 to 7:30 P.M. Undergraduate students M through Z, 10:00 A.M. to 1:00 P.M. and 4:00 to 7:30 P.M. on Sept. 15. Undergraduates A through L will be registered at the above hours on Sept. 16. There will be an additional fee for late registrants

Professor Bob Repas of Michigan State University Joins CLEAR Staff for 1965-66

Bob Repas, Associate Professor of Labor and Industrial Relations at Michigan State University will be on sabbatical leave from that institution and has agreed to assist CLEAR with its labor education programs on a half-time basis this year. His other time will be spent doing research on collective bargaining among public employees.

Bob has had extensive experience in labor education and will be a welcome addition to the staff. He worked with AFSC&ME Chemical Workers and the ACW. He also taught at the University of Wisconsin School for Workers and was Labor-International Affairs Rep. for the American Friends Service Committee before joining the faculty at Michigan State. In 1949-50 he had a labor fellowship at Ruskin College in England.

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Unions desiring help from CLEAR in developing their educational programs are invited to write to:

Center for Labor Education and Research
(CLEAR) Department of Economics
119 Macky, University of Colorado
Boulder, Colorado 80304
or call 442-2211 Ext. 6162

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"Role of Labor" Course at Denver Center - Second Semester.

Social Science #312, a 3-credit course on "The Role of Labor in the 20th Century" has been given twice on the Boulder Campus and was given at the Denver Center during the spring semester. Twelve union members and eleven students with no union affiliation took the course. Unions represented included: AFT, Bricklayers, Fire Fighters, ITU, Teamsters, Machinists, Pressmen, Lathers, Brewery, Lithographers, Plumbers and Rubber Workers. Five students, who were eligible, took the course for graduate credit by doing heavier assignments.

Unions and union members interested in this course are invited to contact CLEAR or the Denver Center for details before the second semester begins. The course will again be taught by W. H. Uphoff, Professor of Economics & Director of Labor Education.

ACTIVITIES REPORT

August, 1964 - August, 1965

LABOR EDUCATION SERVICE
Industrial Relations Center
School of Business Administration
and
General Extension Division
University of Minnesota

INTRODUCTION

An activities report presents an opportunity for taking stock and evaluating whether proper priorities have been properly assigned and implemented. At the end of this two-year period as director of the labor eduation service, it is possible to mark more clearly some of the plus and minus components and to determine the major areas of greatest need.

Among the major minuses is the loss of Professor Joseph Smolen, who accepted a most attractive position at the University of Connecticut. In his years at Minnesota, Joe Smolen had developed as one of the leading labor educators in the country in the field collective bargaining in the public service. His years of solid accomplishment won him hundreds of friends in the Minnesota labor movement. He will be a difficult man to replace.

We also miss the superb good services of Arlene Johnson, who is presently associated with the Ford Local Credit Union. The loss of these valued members of the staff points up the need for substantially upgrading these positions in order to retain skilled and proven staff members.

A second disappointment resulted from receiving only 5% of the additional appropriation requested from the legislatue for the labor education budget. The limited resources available in labor education made it necessary to terminate negotiations for $100,000 in research funds and to cancel plans for an immediate expansion in staff. Fortunately with the help of Dean Grambsch of the School of Business Administration, Dean Thompson of General Extension Division and Provost Darland of UMD we are now able to fund one additional full-time position at UMD.

INTRODUCTION

In spite of these difficulties, the program made substantial progress in most areas, as indicated in the detailed report that follows. Perhaps the greatest advances have been in terms of the consistent improvement in the quality of the program effort and its acceptance by the Minnesota labor movement.

Last year it was possible to list a dozen key persons in the labor movement and among our colleagues at the University who were particularly instrumental in helping to establish this program. The list of close friends and active supporters this past year has grown so numerous as to preclude individual mention.

For this continuing interest and support the staff of the labor education service is deeply grateful. We are confident that the program will continue to move forward and will, in the foreseeable future, secure the resources necessary to make a truly significant contribution to the economy of the state.

JOHN J. FLAGLER
ASSOCIATE PROFESSOR AND DIRECTOR
LABOR EDUCATION SERVICE

Reception

SULLIVAN ROOM (2nd floor).....2:30 P.M.

Program

GANZ HALL (7th floor).....3:00 P.M.

OPENING REMARKS

FRANK McCALLISTER
LEO YEDOR

MUSICAL OFFERING

MISS EDNA WILLIAMS.....*Soprano*
MR. WAYNE SANDERS.....*Piano Accompaniment*

ADDRESS

GEORGE H. IVINS
Professor of Education and Chairman
of the Department of Education
Roosevelt University

AWARDING CERTIFICATES

ROLF A. WEIL, *Acting President*
Roosevelt University

GRADUATION

MDTA
TEACHER TRAINING
ORIENTATION INSTITUTE

conducted by

LABOR EDUCATION DIVISION
ROOSEVELT UNIVERSITY

for the

ILLINOIS STATE BOARD
VOCATIONAL EDUCATION
AND REHABILITATION

participating schools

AMERICAN INSTITUTE of
ENGINEERING and TECHNOLOGY
MARION BUSINESS SCHOOL
MIDWAY TECHNICAL INSTITUTE

JULY 9, 1965

TEACHER TRAINEES RECEIVING CERTIFICATES

AMERICAN INSTITUTE of ENGINEERING and TECHNOLOGY

Alfonso Acosta
Gerald Behar
Lewis V. Berry
Edward Brezinski
Lilles Byrne
James Craig
Louis Gelormini
Seymour Gerber
Everett McNiel
George Mitchel
Larry Patterson
Blanche Pichel
Elmer J. Tolmaire
Dean Tonelli
Don B. Wintersteen
Florence A. Zabawski

MARION BUSINESS COLLEGE

Julia Abbott
Frank Allen
Socouro Borromeo
Charlene Collins
Bernell Faison
Grady Gilkey
Lotan Hildreth
Ruth Henderson
Hymon Johnson
William Marshall
Myrtle McCutcheon
Edna Viverette
Jerry Watts
Carl Wilson
Walter Wilson

MIDWAY TECHNICAL INSTITUTE

Robert J. Bonner
Jesse L. Boyd
Jane M. Browne
Claud Z. Bryce
Earl F. Buder
Margaret Carter
Sylvia M. Hill
Crawford Hodges
Constance Holmes
Bernard B. Lewis
Hazel P. Matthews
Lynn Small
Arnold Sternberg
Errol J. Ware
Shepard Saslow
Anna Robinson

NEW YORK STATE SCHOOL OF INDUSTRIAL AND LABOR RELATIONS
A Contract College of the State University
Cornell University
Ithaca, New York

PROPOSED CURRICULUM FOR BUILDING TRADES APPRENTICES
(6 sessions of 1½ hours each)

I. Union Structure and Government (2 sessions)

The structure and function of unions from the local to the national level; relationship between the AFL-CIO and the national union.

Union procedures for election of officers, approval of agreements, admission to membership.

Jurisdiction and the settlement of jurisdictional disputes.

Study materials: Reed Richardson, American Labor Unions: An Outline of Growth and Structure.

Union Constitution and By-Laws

II. Collective Bargaining in the Building Industry (2 sessions)

The economics of the building industry; the product market, the labor market.

Employer and union organization for bargaining; the bargaining process; the collective agreement; handling grievances under the agreement.

Study materials: Donald Cullen, Negotiating the Labor Contract.

Local agreement

III. The Law as it Affects Labor Relations in the Building Industry (1 session)

Examination of legislation as it bears on labor-management relations; Taft-Hartley, Civil Rights Act of 1964; Davis-Bacon Act.

Study materials: Mimeographed materials.

IV. The Development of American Unions (1 session)

Review of the history of the labor movement.

Study materials: U.S. Department of Labor, Brief History of the American Labor Movement.

Film: The Inheritance.

65-2788
9/10/65

CORNELL UNIVERSITY

The New York State School of Industrial and Labor Relations
A Contract College of the State University **EXTENSION DIVISION**

announces two workshops

for BUSINESS AGENTS

...four weekly sessions, 2:00-5:00 p.m.

...Cornell Conference Center, 7 East 43rd Street, New York City

...registration fee for each workshop -- $25

Wednesday Workshop -- begins October 13, 1965

Anatomy of the Collective Bargaining Agreement

Louis Yagoda, Arbitrator and Visiting Lecturer,
New York State School of Industrial and Labor Relations,
Cornell University

This workshop is specifically designed for full-time union officials involved in collective bargaining. It will be devoted to an analysis of current contract patterns and clauses (relating to such basic issues as work retention, seniority, subcontracting and management rights), the practical effects of contract wording and the interpretation and application of various clauses by arbitrators.

Thursday Workshop -- begins October 14, 1965

Problem Solving and Communicating

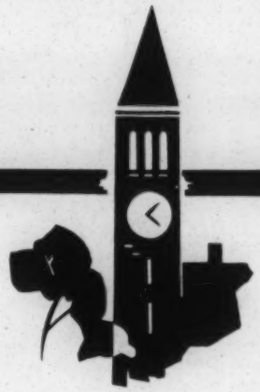
Maggie Blough, Labor Education Specialist

This workshop, designed for full-time union officials, will provide techniques for handling the continuous flow of problems to be attacked and decisions to be communicated in administering local unions, servicing shops or representing professionals in collective bargaining. Individual skill development will be emphasized through analysis of actual union situations.

Certificates will be awarded to those who attend regularly.

To register: Call Al Nash, Labor Program Coordinator
697-2247

(Additional copies of announcements are available.)



Institute for Community Relations Coordinators

New York State School of Industrial and Labor Relations
for New York State Department of Labor
Division of Employment

ILR Conference Center, Cornell University

October 24-29, 1965

PROGRAM

Sunday, October 24, 1965

6:30 p.m.	Reception, West Lounge, Statler Inn
7:00 p.m.	Dinner, West Lounge, Statler Inn

(All Sessions will be held in Room 320, unless otherwise indicated)

Monday, October 25

8:45 a.m.	Registration, ILR Conference Center
9:00 a.m.	Organization of Community Resources Problems of human resources development in urban areas -- their utilization, training and retraining. Relations with other organizations and service groups. Problems in planning coordination of services. Discussion leader: Henry Cohen, Staff Consultant, Institute of Public Administration.
10:15 a.m.	Coffee Break
10:30 a.m.	Continuation of Discussion
12:15 p.m.	Luncheon, Auditorium Foyer, Statler Inn
1:30 p.m.	Workshop Discussions
3:00 p.m.	Coke Break
3:15 p.m.	Continuation of Discussion

Tuesday, October 26

9:00 a.m.	Techniques of Community Activity Interesting and involving community leadership; community information and communication resources; techniques of committee organization and meetings; relating the project to others in the community. Discussion leaders: Mitchell Sviridoff and George Bennett of New Haven Community Progress, Inc.
10:15 a.m.	Coffee Break

10:30 a.m.	Continuation of Discussion
12:15 p.m.	Luncheon, Faculty Lounge, Statler Inn
1:30 p.m.	Workshop Discussions
3:00 p.m.	Coke Break
3:15 p.m.	Continuation of Discussion

Wednesday, October 27

9:00 a.m. — Communicating with Schools and Young People

Understanding viewpoints of school teachers and administrators. Specialized cooperation from education's professional staffs. Means of communicating with students and dropouts. Employment and the value systems of young people.

Discussion leader: John Naisbitt, Assistant to HEW Secretary, John Gardner.

10:15 a.m.	Coffee Break
10:30 a.m.	Continuation of Discussion
12:15 p.m.	Luncheon, West Lounge, Statler Inn
1:30 p.m.	Workshop Discussions
3:00 p.m.	Coke Break
3:15 p.m.	Continuation of Discussions

Thursday, October 28

9:00 a.m. — Community Communication

Identifying the "publics" for community communication. Media: press, radio, TV, mailings, group meetings, word-of-mouth. Dramatizing the message for each medium, and preparing for its acceptance.

Discussion leader: Doug Johnson, President of Barlow and Johnson, Syracuse.

10:15 a.m.	Coffee Break
10:30 a.m.	Continuation of Discussion

12:15 p.m.	Luncheon, Sun Room, Statler Inn
1:30 p.m.	Workshop Discussions
3:00 p.m.	Coke Break
3:15 p.m.	Continuation of Discussion
6:30 p.m.	Reception, West Lounge, Statler Inn
7:00 p.m.	Dinner, West Lounge, Statler Inn - Presentation of Certificates

Friday, October 29

9:00 a.m. Your Community Program

Designing a model community program for YOC's, utilizing concepts and techniques developed both in the discussions and workshops of the preceding four days, by participants in the Institute.

Workshop Leader: Mildred Horne, Youth Program Advisor, U. S. Department of Labor

10:15 a.m.	Coffee Break
10:30 a.m.	Continuation of Discussion
12:00 noon	Luncheon, West Lounge, Statler Inn

NOTE

Monday, Tuesday, Wednesday and Thursday will be divided into two parts: (1) Mornings will be given to presentation of the day's subject by the guest expert, plus discussion of his presentation (2) Afternoons will consist of workshops during which the group, under the guidance of the visiting expert and the seminar chairman, will consider the morning's material as it relates to their own communities and to their YOC assignments.

Professor Wayne L. Hodges
Seminar Chairman

ORGANIZED LABOR

IN MINNESOTA

ANNUAL REPORT 1964-65

LABOR EDUCATION
AND
RESEARCH CENTER

Indiana University

Division of University Extension

CLASS SCHEDULE
Urban League Job Development and Employment Institute
New York State School of Industrial and Labor Relations
Cornell University
January 9-21, 1966

Week of January 9

	Monday	Tuesday	Wednesday	Thursday	Friday
9:00-12N	Economic Outlook R. Raimon	War on Poverty: An Evaluation S. Levitan	American Labor Movement: Some Perspectives R. Doherty	Collective Bargaining: Issues and Trends V. Jensen	American Labor Movement: Structure R. Donovan
2:00-3:30P	Reducing Unemployment Problems & Policies G. Hildebrand	Economic Status of Negroes R. Raimon	The Labor Movement Today G. Brooks	Unions and Discrimination G. Brooks	The Use and Abuse of Statistics I. Blumen

Week of January 16

	Monday	Tuesday	Wednesday	Thursday	Friday
9:00-12N	Personnel Management: Major Issues F. Foltman	Community Organization: Rochester J. Schulman	Problems of Communication W. Frank	FEP Laws and Their Enforcement E. Polisar	
2:00-3:30P	Community Organization J. Schulman	The Interview Process D. Coffee	Problem Solving D. Coffee	College Recruiting & Curricula F. Miller	

1. All sessions will be in ILR Conference Center Room 300.

2. Coffee will be served at 10:30 AM and 3:30 PM.

3. Books and periodicals of special relevance have been placed in a room in the ILR Library. Please inquire at the desk. Participants are, of course, invited to browse throughout the library.

NEW YORK STATE SCHOOL OF INDUSTRIAL AND LABOR RELATIONS
at
CORNELL UNIVERSITY
A Contract College of the State University

EXTENSION DIVISION CALENDAR

FEBRUARY - MARCH, 1966

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Nov.15-Feb. 7	Rochester	Leadership Training	Hanover Tenants Union	Alice Grant	10
Nov.23-Feb.15	Rochester	Collective Bargaining	Local 14A, Amalgamated Xerographic & Photo Supply Workers Union, AFL-CIO	Milton Goldberg	10
Dec.1-Feb.2	New York City	Supervision in Hospital Administration	New York University Medical Center	Stanley Leavitt	10
Dec.14-Mar.17	Elmira	Planning Your Retirement	United Automobile Workers, Local 604	Wallace Wiggins	6
Jan.17-Mar.21	Glens Falls	Management Seminar	Glens Falls Hospital	Donald F. Favreau	8

*Sessions are held weekly unless otherwise specified

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Jan.9-14	Ithaca	Management Development Seminar Group I	New York State Department of Labor	Harlan Perrins	4 1/2 days
Jan.30-Feb.4	Ithaca	Management Development Seminar Group II	New York State Department of Labor	Harlan Perrins	4 1/2 days
Jan.9-Feb.27	Niagara Falls	Medicare and Other New Aspects in Collective Bargaining	Niagara County AFL-CIO	Monsignor James Healy	8
Jan.10-Feb.28	New York City	Current Labor Issues First Section	Local 3, International Brotherhood of Electrical Workers, AFL-CIO	Harry Kelber	8
Jan.10-Feb.28	New York City	Current Labor Issues Second Section	Local 3, International Brotherhood of Electrical Workers, AFL-CIO	Harry Kelber	8
Jan.10-Mar.14	New York City	Problem Solving & Decision Making	Local 3, International Brotherhood of Electrical Workers, AFL-CIO	Marie Wittek Richard Frank	8
Jan.10-Feb.28	New York City	Problem Solving and Decision Making	Local 3, International Brotherhood of Electrical Workers, AFL-CIO	Richard D. Frank	8
Jan.11-Mar.1	New York City	Labor History	Local 3, International Brotherhood of Electrical Workers, AFL-CIO	John J. McCarrick	8
Jan.11-Mar. 1	New York City	Labor History	Same as above	John J. McCarrick	8

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Jan.11-Mar. 1	New York City	Communication Skills for Union Meetings	Local 3, International Brotherhood of Electrical Workers, AFL-CIO	Orvin Larson	8
Jan.11-Mar. 1	New York City	Communication Skills for Union Meetings	Same as above	Orvin Larson	8
Jan.11-Mar. 8	Buffalo	Effective Personal Communications	North Delaware I.M.C.	John E. Gentry	8
Jan.12-Mar.23	New York City	Labor Legislative Workshop: 1966	New York Legislative Service	Joseph Schechter	6
Jan. 13-Mar. 24	Auburn	Managerial Style and Productivity	Auburn Industrial Management Club	Charles B. Off	10
Jan.13-Mar. 3	Tonawanda	Labor Law	American Federation of Technical Engineers, AFL-CIO	Richard Lipsitz	8
Jan.13-Mar. 3	Tonawanda	Union Leadership and Grievance Handling	Same as above	Henry W. Fries	8
Jan.17-Mar. 7	New York City	Collective Bargaining	Taxi Drivers Organizing Committee, AFL-CIO Central Labor Coun.	Joseph A. Mazur	8

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Jan.17-Mar. 7	Fulton	Principles of Management - Part III	Fulton Industrial Management Club	Donald Bell	8
Jan.17-Mar. 7	New York City	Collective Bargaining	Taxi Drivers Organizing Committee, AFL-CIO Central Labor Council	Joseph A. Mazur	8
Jan.18-Mar. 8	New York City	Collective Bargaining	Same as above	Joseph Chaloupka	8
Jan.18-Feb. 22	Lockport	Case Studies in Labor Relations	Lockport Industrial Management Club	John J. Popular	6
Jan.18-Mar. 1	Buffalo	Current Economic Problems	Buffalo AFL-CIO Council	Richard U. Miller	6
Jan.18-Mar. 8	Niagara Falls	Supervising in a Growing Organization	Globar Plant, Refractories & Electronics Div., The Carborundum Company	Raymond A. Binis	8
Jan.18-Mar. 8	New York City	Collective Bargaining	Taxi Drivers Organizing Committee, AFL-CIO	Carl Schlesinger	8
Jan.18-Mar. 1	New York City	Union Administration	Communication Workers of America	Bernard Rifkin	6
Jan.18-Mar. 8	Rochester	Understanding the Labor Agreement	Local 14-B, Rochester Joint Board, Amalgamated Clothing Workers of America, AFL-CIO	Milton Goldberg	8

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Jan.19-Mar. 9	New York City	Collective Bargaining	Taxi Drivers Organizing Committee, AFL-CIO Central Labor Council	Jack Schuyler	8
Jan.19-Mar. 9	New York City	Collective Bargaining	Same as above	Jack Schuyler	8
Jan.20-Mar.10	New York City	Collective Bargaining	Same as above	Caesar C. Guazzo	8
Jan.20-Feb.24	Tonawanda	Job Instruction Training (I)	Spaulding Fibre Co., Inc.	Arthur B. Woodard	6
Jan.20-Mar.10	New York City	Collective Bargaining	Taxi Drivers Organizing Committee, AFL-CIO Central Labor Council	Joseph Mazur	8
Jan.21-Mar.25	White Plains	Communication Skills for Supervisors	General Foods Corp.	Robert H. Burks	10
Jan.21-Mar.25	White Plains	Communication Skills for Supervisors	Same as above	Robert H. Burks	10
Jan.24-Feb.28	New York City	How to Run a Union Meeting	Amalgamated Laundry Workers Joint Board	Orvin Larson Jack Schuyler	6
Jan.26-Feb.23	Binghamton	Communication Problems and Hospital Supervision	Our Lady of Lourdes Hospital	William Frank	5

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Jan.26-Mar. 2	Portchester	The Role of Communications in Supervision	Empire Brushes	Jerry Rosenberg	6
Jan.27-Apr.12	Owego	Managerial Economics	IBM		12
Jan.31-Mar.21	Buffalo	Practices and Problems in Supervision	Crescent-Niagara Corp.	Raymond A. Binis	8
Feb. 1-Mar. 15	Brooklyn	Labor History	Int'l Union of Electrical Workers, Local 485	Jack Schuyler	6
Feb. 1-Mar. 15	Brooklyn	The Economics of Union Bargaining in Small Businesses	Same as above	Peter Freund	6
Feb. 1-Mar. 15	Brooklyn	Steward Training	Same as above	Bernard Lampert	6
Feb. 1-Mar. 22	Rochester	Collective Bargaining	Local 86, IBEW AFL-CIO	William Hosking	8
Feb. 1	New York City	Collective Bargaining for Retirement Benefits: New Needs, New Prospects	Practitioners	Louis Yagoda	1 day
Feb.2-Mar.8	New York City	Art of Shop Chairmanship	Cap Makers Union Local 2	Joseph Mazur	6
Feb. 2	Buffalo	Teacher Negotiations with Boards of Education	Buffalo Board of Education	Morris Lasker Robert Doherty Richard Pivetz	1 day

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Feb.3-Mar.22	Painted Post	Behavioral Science for Managers	Ingersoll Rand Co.	Ned Rosen James Salter	8
Feb.3-Mar.10	New York City	Shop Steward Training	Retail, Wholesale Department Store Union Local 24	Jack Schuyler	6
Feb.4	Williamsville	Management as a Communication System	Line Managers	William Frank	1 day
Feb.7-Mar.14	New York City	Communicating with the Union Member	Local 1-S, Department Store Workers' Union; Retail, Wholesale, and Department Store Union, AFL-CIO	Jack Schuyler	6
Feb.7-Mar.14	New York City	Advanced Course in Grievance Procedure	Same as above	Caesar Guazzo	6
Feb.7-Mar.14	New York City	Introduction to Adult Education for Union Members	Local 6, International Typographical Union, AFL-CIO	Maggie Blough	6
Feb.7-Mar.28	Tonawanda	Human Factors in Management(II)	Wallace & Tiernan,Inc.	Norman Goldfarb	8
Feb.7-Apr.4	Batavia	Human Relations for Hospital Personnel	St. Jerome Hospital	Clifford W. Roe	8
Feb.9-Mar.30	Ithaca	Principles of Management (Part II)	Finger Lakes Industrial Management Club	R. Alan Prosswimmer	8

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Feb.9-Mar.16	Owego	Fundamentals of Supervision	Owego Chamber of Commerce	Charles E. Dwyer	6
Feb. 10, & 17	White Plains	Management Development Workshop	General Foods Corp.	Robert Burks	2
Feb. 11	Ithaca	Developing Conference Leadership Techniques	Practitioners	Jerome Mayer	1 day
Feb.14-Apr.4	New York City	Human Relations Skills	International Typographical Union Local 6	William Gellermann	8
Feb.14-Mar.15	New York City	Labor Education Methods	Amalgamated Meat Cutters Local 342	Maggie Blough	5
Feb.15-Mar.22	Brooklyn	Principles of Supervision	J.F.D. Electronics	Joseph Helfenstein	6
Feb. 15	New York City	Interview and Survey Techniques	National Committee on Household Employment	Maggie Blough	1 day
Feb.17 & 18	New York City	Hiring, Developing, and Promoting Negro Employees	Practitioners	Garda Bowman G. A. McLellan Julius A. Thomas Eric Polisar	2 days
Feb.2-Feb.9	Owego	Concepts of Leadership and Management	Owego Chamber of Commerce	Alpheus Smith	3
Feb.24-Apr.4	Fulton	Foreman's Responsibility to Management and to Employees	Fulton Industrial Management Club	Frank F. Oppedisano	8
Feb.26	Jamestown	New Trends in Collective Bargaining	Local 24, American Federation of Technical Engineers	Alton Bartlett Milton Goldberg William Buch	1 day

DATE	PLACE	PROGRAM TITLE	GROUP SERVED	TEACHER OR CHAIRMAN	*NO. OF SESSIONS
Mar.1-22	New York City	Labor Relations and Recent Legal	Practitioners	Benjamin Naumoff	4
Mar.1-22	New York City	The Art and Process of Negotiating a Contract	Practitioners	Matthew A. Kelly	4
Mar.2-4	New York City	Management by Objectives	Practitioners	W. Wohlking	3 days
Mar. 3-24	New York City	Arbitration and Grievances	Practitioners	E. Robert Cregar	4
Mar.4-May 20	New York City	Human Factors in Hospital Management	The Mount Sinai Hospital	Stanley R. Leavitt	12
Mar.9-30	New York City	Inside the Collective Bargaining Agreement	Practitioners	Louis Yagoda	4
Mar. 11	New York City	Interviewing Skills for Personnel Specialists	Practitioners	Edwin M. Glasscock	1 day
Mar.15-Apr.26	Buffalo	New Laws - New Contracts	Buffalo AFL-CIO Council	Monsignor James Healy	5
Mar.17 & 18	New York City	Negotiating the Collective Bargaining Agreement	Practitioners	Matthew A. Kelly Louis Yagoda	2 days
Mar.24	New York City	Participative Management: Illusions and Realities	Practitioners	Wallace Wohlking	1 day
Mar.25	New York City	Recent Improvements in Performance Review	Practitioners	Emmett Wallace	1 day

LISTING OF TEACHERS AND CHAIRMEN FOR FEBRUARY

Bartlett, Alton, State University of New York at Buffalo, Buffalo, New York
Bell, Donald, Sperry Rand, Univac Division, Utica, New York
Binis, Raymond A., Spaulding Fibre Company, Inc., Tonawanda, New York
Blough, Maggie, Storrs, Connecticut
Buck, William, Federal Mediation and Conciliation Service, Buffalo, New York
Burks, Robert, Management Consultant, Bloomsbury, New Jersey
Cregar, E. Robert, American Arbitration Association, New York City
Dwyer, Charles, Graduate Student, Cornell University, Ithaca, New York
Favreau, Donald F., New York State Department of Labor, Albany, New York
Frank, Richard, Abraham and Straus, New York City
Freund, Peter, New York University, New York City
Fries, Henry W., Erie County Technical Institute, Williamsville, New York
Gentry, John E., New York State Department of Civil Service, Buffalo, New York
Goldfarb, Norman, National Labor Relations Board, Buffalo, New York
Guazzo, Caesar C., Attorney, New York City
Helfenstein, Joseph, Office of Civil Defense Mobilization, Brooklyn, New York
Healy, Monsignor James A., St. Peter's Church, LeRoy, New York
Hosking, William, Hobart College, Geneva, New York
Kelber, Harry, New York Institute of Technology, New York City
Lampert, Bernard, Attorney and Arbitrator, New York City
Larson, Orvin, Freeport, Long Island, New York
Leavitt, Stanley, Hofstra University, Hempstead, New York
Lipsitz, Richard, Attorney, Buffalo, New York
Mayer, Jerome, Management Consultant, New York City
Mazur, Joseph A., Shaps, Mazur & Dontzin, New York City
McCarrick, John J., St. Johns University, Brooklyn, New York
Miller, Richard U., State University of New York at Buffalo, Buffalo, New York
Naumoff, Benjamin, Bureau of Labor-Management Reports, New York City
Off, Charles B., Xerox Corp., Rochester, New York
Popular, John J., Anaconda American Brass Co., Buffalo, New York
Prosswimmer, R. Alan, Corning Glass Works, Corning, New York
Rifkin, Bernard, United Automobile Workers Union, New York City
Roe, Cliffard W., Westinghouse Electric Corp., Buffalo, New York
Rosenberg, Jerry, Teachers College, Columbia University, New York City

LISTING OF TEACHERS AND CHAIRMEN FOR FEBRUARY (continued)

Schechter, Joseph, New York City Department of Labor, New York City
Schlesinger, Carl, International Typographical Union Local 6, New York City
Schuyler, Jack, New York State Education Department, New York City
Wallace, Emmett, Leadership Development Associates, New York City
Wiggins, Wallace, Attorney, Ithaca, New York
Wittek, Marie, St. Johns University, New York City
Woodard, Arthur B., New York State Division of Employment, Buffalo, New York
Yagoda, Louis, Labor Arbitrator, New Rochelle, New York
Goldberg, Milton, New York State Board of Mediation, Buffalo, New York

FACULTY LISTING

Robert Doherty
Donn Coffee
William Frank
William Gellermann
Alice Grant
Matthew A. Kelly
Harlan Perrins
Richard Pivetz
Eric Polisar
Ned Rosen
James Salter
Alpheus Smith
Wallace Wohlking

Announcing the

UNION LEADERSHIP PROGRAM
INDIANA UNIVERSITY
SPRING SEMESTER 1966

Sponsored by the Indiana State and Allen County AFL-CIO

Two Courses - Beginning January 26 and 27 - Ending May 4 and 5

1. WEDNESDAYS, 12:00 - 2:30 p.m.
or
7:00 - 9:30 p.m.

COMMUNICATION

Analyzing what goes on in communication
What is said and what is not said
What is heard and what is not heard

The nature of listening
Persuasion by listening

The tools of communication
Writing letters and notices
The use of questionnaires
Discussion methods
Effective speaking

INSTRUCTOR: David Burns, Indiana University, Indianapolis
PLACE: Indiana-Purdue Regional Campus, 2101 East U.S. 30, Fort Wayne.
COST: $32.00 including the cost of materials.

2. THURSDAYS, 7:00 - 9:30 p.m. PSYCHOLOGY FOR UNION LEADERS

To help the leader gain a better understanding of his own actions and of the actions of other people. Discussion of cases encountered in the shop and in union activites.

INSTRUCTOR: Terrence F. Connors, Labor Education and Research Center, Indiana University, Bloomington
PLACE: Indiana-Purdue Regional Campus, 2101 East U.S. 30, Fort Wayne.
COST: $32.00 including the cost of materials.

Please mail in registrations

not later than January 23

CONFERENCE

Economic Security for Nurses

Sponsored by

LABOR EDUCATION CENTER

The University of Connecticut

and

CONNECTICUT NURSES' ASSOCIATION

May 4, 1966

9:00 A.M. to 4:00 P.M.

at

The University of Connecticut

Storrs, Connecticut

PARTICIPANTS IN CONFERENCE

Co-Chairmen	Harriett L. Wilcoxson, R.N. Chairman, Economic and General Welfare Committee Connecticut Nurses' Association
	John Glynn, Director Labor Education Center, The University of Connecticut
	Robert B. Norris Dean Continuing Education Services
Professor	David Pinsky Labor Education Center
Professor	Joseph S. Smolen Labor Education Center
Instructor	Robert Jensen Labor Education Center
Instructor	Donald Beecher Labor Education Center
Executive Director	Eleanor C. Lundblad, R.N.
and Associate Executive Director	Ruth Fisher, R.N.

PROGRAM

Morning Session

UNITED NATIONS ROOM

Presiding	Professor John Glynn
9:45 - 10:00	Welcome: Robert B. Norris
10:00 - 10:15	Brief Report CNA Economic and General Welfare Program Harriett L. Wilcoxson, R.N.
10:15 - 10:45	History and Economics Nursing and Hospitals Professor David Pinsky
10:45 - 11:40	Collective Bargaining Law for Nurses Professor Joseph S. Smolen
11:50 - 1:00	Luncheon

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Afternoon Session

STUDENTS' UNION ROOM 101 - 102

Presiding	Harriett L. Wilcoxson
1:00 - 2:00	Problems of Negotiation Professor Joseph S. Smolen
2:00 - 3:00	Grievance and Contract Administration Professor John Glynn
3:15 - 3:45	Case Studies
3:45 - 4:00	Where do we go from here Professor John Glynn Ruth Fisher, R.N.

NOTES

There will be parking signs at two entrances to the campus directing you to parking areas close to Student Union Center Building where all meetings will be held.

Registration - Coffee Hour - Student Union Room 208
9:00 - 9:40 a.m.
Opening Session - United Nations Room 9:45 a.m.
Luncheon available - cafeteria - The Commons, Quinebaug Room.

Please return enclosed advance registration slip by April 26, 1966
Please note change of meeting place - afternoon session will be in Student's Union, Room 101-102.
Please bring this program to the meeting.

ROUTES

Route 15, Exit 99 on Wilbur Cross Highway
Route 44A via Manchester
Route 32 via Willimantic turn on to Route 89 and then on to Route 195
Route 91 change to Route 44A at Hartford
Route 6 change to Route 44A at Hartford

ON THE CAMPUS

Student Union Building
Directly across from Physical Education Building and Field House on Hillside Road. It is also adjacent to the Albert N. Jorgensen Auditorium.

The
Greater
Hartford
Labor
Council offer for

HARTFORD REGION TRADE UNIONISTS

A COURSE IN

UNION COUNSELOR TRAINING

IN COOPERATION WITH

THE LABOR EDUCATION CENTER
OF THE UNIVERSITY OF CONNECTICUT

AND

THE GREATER HARTFORD COMMUNITY COUNCIL

Friday Nights

March 11 through May 6, 1966 7:15 - 9:15 p.m.

GRADUATION DINNER

Will Be SATURDAY EVENING - MAY 7, 1966

1 9 6 6 - UNION COUNSELOR TRAINING

SESSION #1 - Friday, March 11th - AGING, MEDICARE AND RETIREMENT

Introduction to Course
Speakers: Donald Beecher, Chairman
Community Services
William N. MacKay, Greater
Hartford Community Council

Community Chest and Council
Discussants: Ed K. Ota and Don Schively
Greater Hartford Community Chest

Aging, Medicare and Retirement
Speaker: Mrs. Harold Sanderson, Chairman
Conn. Commission on Services for Elderly
Persons

SESSION #2 - Friday, March 18th - THE POVERTY PROGRAM

Speaker: David L. Holmes, Assistant Executive Director
Community Renewal Team of Greater
Hartford

SESSION #3 - Friday, March 25th - HEALTH, REHABILITATION AND THE HANDICAPPED

Speakers: Miss Florence Austin, Exec. Dir.
Visiting Nurse Association
Miss June Sokolov, Executive Dir.
Hartford Rehabilitation Center

SESSION #4 - Friday, April 1st - FAMILY AND CHILDREN - PUBLIC WELFARE

Speakers: Edward J. Power, Executive
Secretary
Catholic Family Services
Richard Mastronarde, Director
Hartford Dept.-Public Welfare

LECTURE AND DISCUSSION SERIES - 1 9 6 6

SESSION #5 - Friday, April 15th - JOB OPPORTUNITIES FOR MINORITY GROUPS - RESOURCES FOR FAMILIES OF MEN IN MILITARY SERVICE

Speakers: William J. Brown, Executive Director, Urban League
John R. Russell, Executive Director, American Red Cross

SESSION #6 - Friday, April 22nd - WORKERS' STAKE IN MENTAL HEALTH

Speakers: Max Pepper, M.D., Director Connecticut Mental Health Planning Project
(Spokesman from Labor - To be announced)
Discussant: Richard K. Conant
Mental Health Consultant

SESSION #7 - Friday, April 29th - LEISURE TIME AND RECREATION - ADULT EDUCATION

Speakers: John Ganter, Executive Director, Hartford Neighborhood Centers
Richard Kelly, Director
Adult Education, Hartford Board of Education -

SESSION #8 - Friday, May 6th - FAMILY MANAGEMENT - LEGAL AID

Speakers: (Family Management Speaker to be announced)
William Graham, Director
Legal Aid Society of Hartford

PROGRAM PLANNING COMMITTEE

Education And Community Services Committee of the Greater Hartford Labor Council

The Labor Education Center of the University of Connecticut

The Greater Hartford Community Council

Consultant and Advisor from the AFL-CIO Community Services Department - Washington, D. C.

The Course Will Be Held At:

UNITY LODGE, Local 405 - UAW, AFL-CIO
666 Oakwood Avenue
West Hartford, Connecticut

Tuition Will Be $ 5.00 Per Delegate

Please Make Checks Payable To:

THE GREATER HARTFORD LABOR COUNCIL

****

THE STAMFORD CENTRAL LABOR COUNCIL, AFL-CIO
IN COOPERATION WITH

LABOR EDUCATION CENTER

THE UNIVERSITY OF CONNECTICUT

ANNOUNCES: COLLECTIVE BARGAINING FOR PUBLIC EMPLOYEES

This eight-session course, which begins on Thursday evening, March 24, 1966, will cover the differences between the public employee labor movement and the rest of the labor movement; the union steward in public employment; practice in handling grievances, enforcing working conditions and labor laws in public employment; and negotiations and collective bargaining for public employees with particular emphasis on practices under the new Connecticut laws relating to public employment.

DATES: Thursday evenings - March 24, March 31, April 7, April 14, April 21, April 28, May 5, and May 12.

TIME: 7:30 p.m. to 9:30 p.m.

PLACE: J. M. Wright Technical School
Scalzi Park, Bridge Street
Stamford, Connecticut
(ample parking in rear of School)

COST: $5.00 per student for the entire eight-session course. (Make checks payable to the "Labor Education Center, University of Connecticut.") Use the form below to register.

- -

Mr. Joseph Lasko, Chairman
Education Committee, Stamford Central Labor Council
46 Beuna Vista Street
Springdale, Connecticut

We wish to enroll the following members in the course on COLLECTIVE BARGAINING FOR PUBLIC EMPLOYEES:

1. NAME_____ ADDRESS_____
2. NAME_____ ADDRESS_____
3. NAME_____ ADDRESS_____

(Use the back of this form for additional names).

Signed: NAME_____ Local No._____
TITLE_____

LEC

THE STAMFORD CENTRAL LABOR COUNCIL, AFL-CIO
IN COOPERATION WITH

LABOR EDUCATION CENTER
THE UNIVERSITY OF CONNECTICUT

ANNOUNCES: COLLECTIVE BARGAINING AND UNION ADMINISTRATION

This eight-session course, which begins on Thursday evening, March 24, 1966, will cover grievance handling, developing an effective steward system, keeping of records in the grievance procedure, practice work in handling grievances at the committee level, and a study of sample contract clauses.

The course will continue with a background on grievance arbitration, arbitration practices and procedures and some problems in preparing and presenting an arbitration case. Some union leadership administration matters to be discussed in this course will be: ways and means of increasing membership participation in local union affairs, how to lead and involve others, how to improve local meetings, how to develop effective committees, and how to establish good working relations with the press and other community institutions and agencies.

DATES: Thursday evenings - March 24, March 31, April 7, April 14, April 21, April 28, May 5, and May 12.

TIME: 7:30 p.m. to 9:30 p.m.

PLACE: J. M. Wright Technical School
Scalzi Park, Bridge Street, Stamford, Conn.
(ample parking in rear of School)

COST: $5.00 per student for the entire eight-session course. (Make checks payable to the "Labor Education Center, University of Connecticut.") Use the form below to register.

- -

Mr. Joseph Lasko, Chairman
Education Committee, Stamford Central Labor Council
46 Beuna Vista Street
Springdale, Connecticut

We wish to enroll the following members in the course on COLLECTIVE BARGAINING AND UNION ADMINISTRATION:

1. NAME_____ ADDRESS_____
2. NAME_____ ADDRESS_____
3. NAME_____ ADDRESS_____
(Use the back of this form for additional names).

Signed: NAME_____ Local No._____
TITLE_____

LEC

THE NEW LONDON CENTRAL LABOR COUNCIL, AFL-CIO
IN COOPERATION WITH

LABOR EDUCATION CENTER
THE UNIVERSITY OF CONNECTICUT

ANNOUNCES: UNITED STATES AND WORLD PROBLEMS

This twelve-session course, which begins Tuesday, September 20, 1966, will be concerned with the most important issues affecting the lives of Americans today and in the period ahead.

Thoughtful Union leaders and members recognize the need to be informed on these key problems which will affect the future of the labor movement, the lives of members and their families.

This course has for its focus a program of reading and discussion of the following vital issues:

The Changing Shape of American Society - Automation and Jobs - Political Extremism in America - The Population Explosion - The Revolution in Civil Rights - Business and Union Power - World Affairs: The Search For Peace - Civil Liberties - America's Educational Needs - Power of Communications Media - Our Relations With Other Nations

No citizen can act effectively in our community who has failed to inform himself on these critical issues which affect society in this second half of the century.

DATES: TUESDAY AFTERNOONS OR EVENINGS - Starting September 20, 1966, for twelve weeks. You may attend either the afternoon or evening sessions.

TIME: 1:00 to 3:00 p.m. 7:30 to 9:30 p.m.

PLACE: Afternoon Session - Carpenters' Hall, 597 Broad St., New London, Conn.
Evening Session - Place to be announced

COST: $12.00 per student including the cost of textbooks for the entire twelve-session course.

Use The Form Below To Register

- -

We wish to enroll the following members in the course on UNITED STATES AND WORLD PROBLEMS:

1. NAME_____ ADDRESS_____
2. NAME_____ ADDRESS_____
3. NAME_____ ADDRESS_____

(Use the back of this form for additional names).

Afternoon____ or Evening class____ (CHECK ONE)

Signed: NAME_____ LOCAL NO._____
TITLE_____ ADDRESS_____

Please make checks payable to: THE UNIVERSITY OF CONNECTICUT and mail with registration form to Mr. Lloyd Middleton, New London Central Labor Council, 111 Stillman Avenue, Pawcatuck, Connecticut

INDIANA UNIVERSITY LABOR EDUCATION AND RESEARCH CENTER Winter 1966

REGISTRATION FORM

(Please print names)

UNION LEADERSHIP PROGRAM - ALLEN COUNTY

1. Name _____ Position in Union _____

   Address _____ Please check time of course desired ____ Wednesday noon ____ Wednesday eve. ____ Thursday eve.

   Phone _____

2. Name _____ Position in Union _____

   Address _____ Please check time of course desired ____ Wednesday noon ____ Wednesday eve. ____ Thursday eve.

   Phone _____

3. Name _____ Position in Union _____

   Address _____ Please check time of course desired ____ Wednesday noon ____ Wednesday eve. ____ Thursday eve.

   Phone _____

Total fee of $ _____ enclosed (for ____ persons enrolled at $32.00 apiece).

Please make checks payable to INDIANA UNIVERSITY.

Date _____ Officer _____

Union Name and Number _____

- -

Kindly tear off the form above and mail to:

ADMISSIONS OFFICE
Indiana University Regional Campus
2101 East U. S. Route 30
Fort Wayne, Indiana

Fill in the lines below for your own record:

Members registered for Union Leadership Program, Indiana University --

1. _____
2. _____
3. _____

Total fee mailed $ _____.

Date_____ Union Officer _____

ROOSEVELT UNIVERSITY
LABOR EDUCATION DIVISION

430 South Michigan Avenue · Chicago, Illinois 60605 · WAbash 2-3580

1965 - 1966

ADVANCED STUDIES FOR LABOR LEADERS

Roosevelt University Labor Education Division's advanced program in the political sciences is limited to second and third year students who have completed "Labor Leadership in a Dynamic Society" and to full time union officers. Coordinator for the program is Duane Beeler.

Students may attend any of these classes:

7:00 p. m. - 10:00 p. m.	Wednesday
10:00 a. m. - 1:00 p. m.	Thursday
7:00 p. m. - 10:00 p. m.	Thursday

THE POLITICAL ARENA AND LABOR

Oct. 13 & 14: HOW WORKERS OF OTHER NATIONS VIEW U.S. LABOR
Rudy Faupl, U.S. Workers' Representative to the International Labor Organization of the U. N.

WHAT IS DIFFERENT ABOUT AMERICAN DEMOCRACY?
Tom Stauffer, Editorial Staff, Institute For Philosophical Research

Oct. 20 & 21: THE FEDERALIST PAPERS
Oct. 26 & 27: DEMOCRACY IN AMERICA - Tocqueville
Nov. 3 & 4: NEW NATIONALISM - Theodore Roosevelt

THE CONSTITUTIONAL BASIS OF GOVERNMENT
Marshall Patner, Attorney at Law

Nov. 10 & 11: Historical Background
Nov. 17 & 18: Evolving Doctrine Of Free Speech:
Nov. 24 & 25: Current Trends In Judicial Decisions

Dec. 2 only:	"Billy Budd" and "Lonely Are The Brave" CLARK THEATRE
Dec. 8 & 9:	U.S. LABOR'S PROGRAM IN INTERNATIONAL AFFAIRS Victor Reuther, Department of International Affairs, United Auto Workers (tentative)

THE THEORY OF POWER

Leon Novar, Associate Professor of Political Science, Wilson Junior College

Dec. 15 & 16:	What Are The Theories Of Power?
Dec. 17 & 18:	What Is The Nature Of The Power Structure In The United States?
	CHRISTMAS AND NEW YEAR VACATION
Jan. 5 & 6:	Political Parties Film: "Presidential Power Contested"

PRESSURE GROUPS

Douglas Anderson, Assistant to Senator Paul H. Douglas

Jan. 12 & 13:	Varieties And Functions
Jan. 19 & 20:	Are Pressure Groups Necessary Under Democracy?
Jan. 26 & 27:	Effective Techniques Of Pressure Groups: Case Studies
Feb. 2 & 3:	LABOR POLICY ON AUTOMATION AND CHANGING TECHNOLOGY Ted Silvey, AFL-CIO Education Department

THE MACHINERY OF GOVERNMENT

George Watson, Professor of Political Science, Roosevelt University

Feb. 7 & 8:	States' Rights
Feb. 14 & 15:	Presidential Power
Feb. 22 & 23:	Judicial Supremacy Film: "Full Employment And The Fair Standards Act"

CASE STUDIES IN PRACTICAL POLITICS
Harvey Karlen, Professor of Political Science, Wright Junior College

Mar. 2 & 3:	Work At The Precinct Level
Mar. 9 & 10:	Getting Out The Labor Vote
Mar. 16 & 17:	Developing Continuing Channels Of Communication
Mar. 24 only:	"The Law" and "He Who Must Die" CLARK THEATRE
Mar. 30 & 31:	THE UNIONIST'S STAKE IN FOREIGN EDUCATION AND TRADE Frayn Utley, Executive Director, Institute of International Education
Apr. 6 & 7:	THE LEGISLATOR'S RESPONSE TO PRESSURES Jerry Voorhis, former Congressman, Executive Secretary, Cooperative League of America

GOVERNMENT AND THE ECONOMY
William Grampp, Professor of Economics, University of Illinois

Apr. 13 & 14:	Principles Of Policy
Apr. 20 & 21:	Employment And Growth
Apr. 27 & 28:	Regulation Of Markets

PHILOSOPHICAL VIEWS OF GOVERNMENT
Tom Stauffer

May 4 & 5:	THE COMMUNIST MANIFESTO - Marx
May 11 & 12:	ON LIVY - Machiavelli
May 18 & 19:	ON LIBERTY - Mills
May 25 & 26:	A POLITICAL PHILOSOPHY FOR LABOR IN THE SECOND HALF OF THE SIXTIES Robert Theobald, Economist, Author, and Consultant to the U. N.

ruoeiu
8/30/65

ROOSEVELT UNIVERSITY
LABOR EDUCATION DIVISION

430 South Michigan Avenue · Chicago, Illinois 60605 · WAbash 2-3580

1965 - 1966

LABOR LEADERSHIP IN A DYNAMIC SOCIETY

"Labor Leadership in a Dynamic Society" is Roosevelt University's thirty-two week program which explores the many roles of the labor leader in our society. Teaching methods include group discussion, lecture, films, and reading of texts. Coordinator of the program is Harry Kurshenbaum.

Students may attend any of these classes:

Monday 7:00 p.m. - 10:00 p.m.
Tuesday 10:00 a.m. - 1:00 p.m.
Tuesday 7:00 p.m. - 10:00 p.m.

Oct. 11 & 12:	How Does The Member View His Union? A comparison of the mid-30's and the mid-60's.
Oct. 18 & 19:	What Are The Various Concepts Of Unionism In The Era Of The Great Society?
Oct. 25 & 26:	Can Social Change As Projected By The Great Society Be Guided And Controlled? St. Clair Drake.
Nov. 1 & 2:	The Role Of The Local Union Officer In Solving Union Problems Today.
Nov. 8 & 9:	The Grievance And The Aggrieved.
Nov. 15 & 16:	Union Contracts And Problem Solving: Principles of interpretation. Duane Beeler.
Nov. 22 & 23:	Films As A Language Of Worker Learning. Jerome Blumenthal.
Nov. 29 only:	CLARK THEATRE - "The Organizer" and "No Love For Johnnie".

Dec. 6 & 7:	The Evolving Professionalism Of The Staff Representative.
Dec. 13 & 14:	Arbitration As Part Of The Grievance Procedure: Current cases depicted by the American Arbitration Association.
Dec. 21 only:	Labor And Management: An insightful mock mediation hearing by Commissioners of the Federal Mediation and Conciliation Service.
Dec. 27 & 28:	Christmas and New Year Holidays.
Jan. 3 & 4:	The Social And Psychological Dynamics Of Collective Bargaining.
Jan. 10 & 11:	The Positive Approach To Membership Meetings.
Jan. 17 & 18:	Problem Workers On The Job: Outplant mode of living versus inplant manifestations. Ted Ruhig.
Jan. 24 only:	CLARK THEATRE - "Twelve Angry Men" and "Nothing But A Man".
Jan. 31 & Feb.1:	Group Process: Behavior of the individual in union groups. Dr. Myrna Kassel.
Feb. 7 & 8:	The Thinking Process: Union sense for the union man. Duane Beeler.
Feb. 14 & 15:	Labor's Current Concern With The Aims Of The Great Society.
Feb. 21 & 22:	The Present Day Political Power Structure: Can our Locals affect it?
Feb. 28 & Mar. 1:	The Appropriate Role Of The Union Professional.
Mar. 7 & 8:	Cultural Membership Differences: How can the Local solve them? William Elkuss.
Mar. 14 & 15:	Three Studies Of Leadership Under Great Odds.

Mar. 21 & 22:	Political Action By The Unions: Are our energies being wisely spent? John Cullerton.
Mar. 28 only:	CLARK THEATRE - "The Angry Silence" and "Flame In The Streets".
April 4 & 5:	The Labor Lawyer: What he can do, what he should do, and what he should not do. Gil Cornfield.
April 11 & 12:	Labor Law And The National Labor Relations Board. Martin Schneid.
April 18 & 19:	Motivation And Behavior Of Union Work Groups.
April 25 & 26:	Labor And Public Opinion. Harry Bovshow.
May 2 & 3:	The Many Publics Of The Union. Frank McNaughton.
May 9 & 10:	Are Officers And Members Talking To Each Other? Labor's internal communication problems. Irwin Klass.
May 16 & 17:	Can Collective Bargaining Cope With Automation? Frank McCallister.
May 23 & 24:	What Will Be The Role Of Unions In The Future? Samuel Evett, Harold Schwartz, Harry Kurshenbaum.
June 3:	Graduation.

LABOR LEADERSHIP IN A DYNAMIC SOCIETY

TEACHING PERSONNEL

DUANE BEELER, Acting Assistant Director
Labor Education Division, Roosevelt University

JEROME BLUMENTHAL, Instructor of Humanities
Wright Junior College

HARRY BOVSHOW, Assistant Regional Director
Office of Labor-Management Reports

GILBERT CORNFIELD, Labor Attorney

JOHN CULLERTON, Director
Department of Labor, State of Illinois

ST. CLAIR DRAKE, Professor
Department of Sociology, Roosevelt University

WILLIAM ELKUSS, National Education Director
Amalgamated Clothing Workers

SAMUEL EVETT, Assistant to the Director
District 31, United Steelworkers of America

MYRNA KASSEL, Assistant Director of Personnel
Illinois Department of Mental Health

IRWIN KLASS, Editor
Chicago Federation News

HARRY KURSHENBAUM, Coordinator
Labor Education Division, Roosevelt University

FRANK McCALLISTER, Director
Labor Education Division, Roosevelt University

FRANK McNAUGHTON, Frank McNaughton & Associates

TED RUHIG, Director of Training and Labor Liaison
Chicago Area Plan for Workers' Mental Health

MARTIN SCHNEID, Assistant to the Regional Director
National Labor Relations Board

HAROLD SCHWARTZ, Midwest Director
International Ladies' Garment Workers' Union

LABOR LEADERSHIP IN A DYNAMIC SOCIETY

CLASSROOM FILMS

Oct. 11 & 12:	THIS UNION CAUSE
Nov. 1 & 2:	THE SHOP STEWARD
Nov. 8 & 9:	THE GRIEVANCE
Nov. 22 & 23:	VALUES AND INTERPRETATIONS (Three editors' versions of GUNSMOKE)
Dec. 13 & 14:	ARBITRATION IN PRACTICE
Jan. 3 & 4:	WHISTLE AT EATON FALLS
Jan. 31 & Feb. 1:	CRITIC'S CHOICE NUMBER FOUR
Feb. 28 & Mar. 1:	THE SEVEN SAMURAI (THE MAGNIFICENT SEVEN)
Mar. 14 & 15:	JUSTICE UNDER LAW (excerpt from "Boomerang") DUE PROCESS OF LAW DENIED (excerpt from "Ox Bow Incident") FURY (Lynching sequence and Trial sequence)
Apr. 18 & 19:	MAN ON THE ASSEMBLY LINE

University Labor Ed Programs

1968

ANNUAL REPORT

LABOR EDUCATION PROGRAM

CENTER FOR LABOR AND MANAGEMENT

COLLEGE OF BUSINESS ADMINISTRATION

THE UNIVERSITY OF IOWA

IOWA CITY, IOWA

University Wide Program

THE AMERICAN UNIVERSITY

SCHOOL OF INTERNATIONAL SERVICE

AND THE

LABOR STUDIES CENTER

COLLEGE OF CONTINUING EDUCATION

ANNOUNCE

A PROGRAM OF INTERNATIONAL LABOR STUDIES FOR 1968-1969

FALL – 1968

HISTORY OF INTERNATIONAL LABOR MOVEMENTS

WORLD LABOR AND CONTEMPORARY INTERNATIONAL RELATIONS I.

SPRING – 1969

HISTORY OF INTERNATIONAL LABOR MOVEMENTS

WORLD LABOR AND CONTEMPORARY INTERNATIONAL RELATIONS II.

LABOR IN WESTERN EUROPE

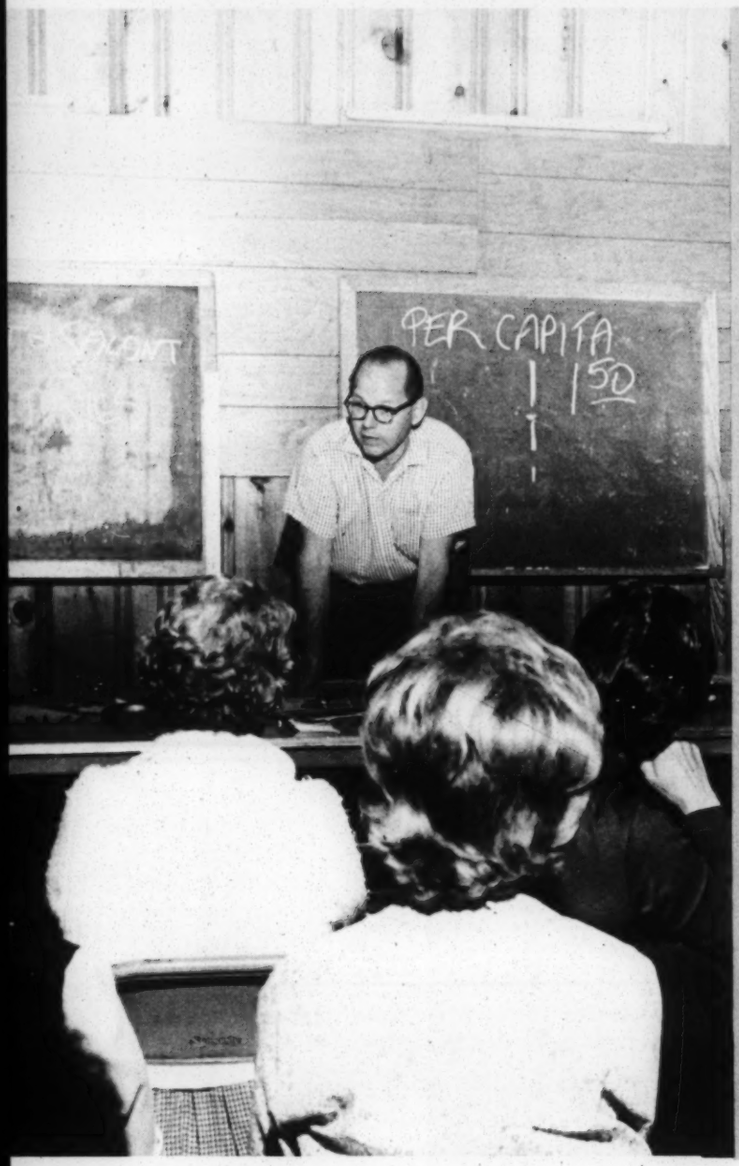
LABOR IN LATIN AMERICA

Courses are open for credit, audit or on a special student basis

17 17

By Maria Board

Interested in a Career in Labor Education?



8 to 10 weeks of experience in labor education and an $800 scholarship is being offered this summer by

WORKERS EDUCATION LOCAL 189 OF THE AMERICAN FEDERATION OF TEACHERS, AFL-CIO

This unique opportunity is open to a man or woman qualified for a career in labor education. It provides on-the-job experience at labor summer schools and study of the field with labor educators in unions and/or universities for an 8- to 10-week period this summer.

LABOR EDUCATION is the branch of adult education dealing with the educational needs of union members, particularly those active as stewards, officers and full-time representatives. Qualifications for work in labor education include experience in the labor movement, understanding of educational principles, and familiarity with such subjects as collective bargaining, economics, union administration, legislation and politics.

The 1969 program provided by the scholarship will give experience in planning, teaching and assisting in labor education programs, under the guidance of experienced labor educators. Amount of the scholarship is $800, plus board and room for four weeks.

The scholarship is particularly suited for unionists active in educational work in their unions, teachers in schools or colleges, and graduate students in the social sciences and other fields related to labor education.

Sponsor and administrator of the scholarship is Workers Education Local 189 of the American Federation of Teachers, AFL-CIO, the membership organization of labor education staff. Its purpose is to give practical experience to a younger person who is interested in a career in labor education.

Deadline for completed application is **April 30, 1969.** For application blanks and further information, write:

SEE: EMORY VIA SRC

1969 LABOR EDUCATION INTERNSHIP

535 CLEMENS DRIVE

FLORISSANT, MISSOURI 63033

177

THE UNION LEADERSHIP ACADEMY

a liberal studies program for trade unionists of the twin cities area

offered by

LABOR EDUCATION SERVICE
INDUSTRIAL RELATIONS CENTER

THE GENERAL EXTENSION DIVISION
UNIVERSITY OF MINNESOTA

661

THE LABOR EDUCATION CENTER

of the UNIVERSITY OF CONNECTICUT

In Cooperation With

The Greater Hartford Labor Council

and

International Association of Machinists — AFL-CIO

Offers Its

ANNUAL

Fall Education Program

with a free exchange

of resources and ideas

for Hartford Region Trade Unionists

to be held at the

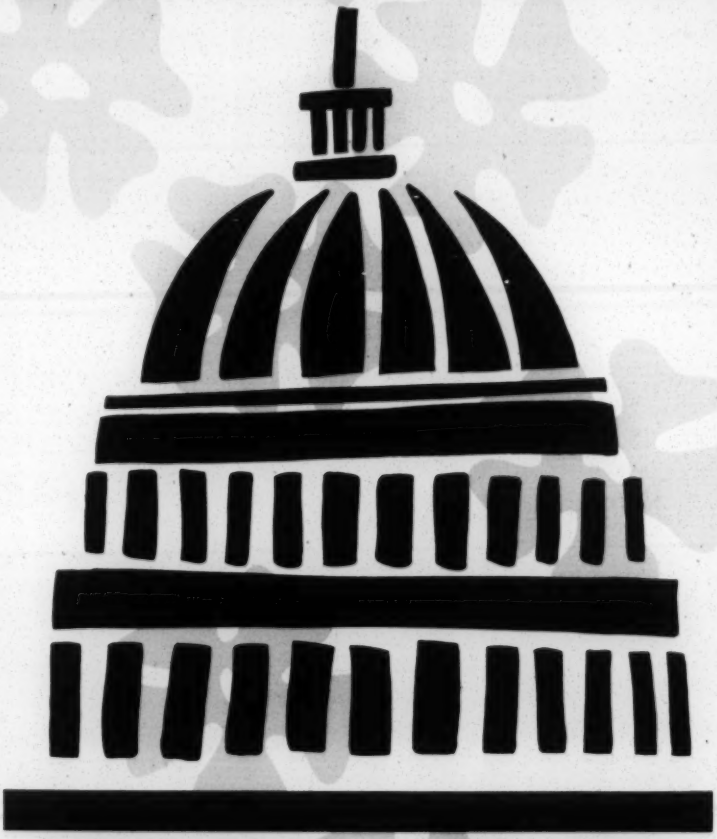
UNIVERSITY OF CONNECTICUT

HARTFORD BRANCH

1280 Asylum Avenue Hartford, Connecticut

CWA

PLANNING GUIDE



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WASHINGTON, D.C.

30TH ANNIVERSARY CONVENTION • JUNE 17-21, 1968
INFORMATION ABOUT CONVENTION ACTIVITY TICKETS

PROPOSAL

FOR A

LONG TERM NON-RESIDENTIAL

STUDY PROGRAM FOR TRADE UNION

LEADERS AND MEMBERS

Labor Education Center
Continuing Education Services
The University of Connecticut
Storrs, Connecticut

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I. What is Proposed

The University of Connecticut Labor Education Center proposes to establish a long-term non-resident study program for labor union leadership in one or more metropolitan areas in the State of Connecticut. This program will consist of eight, twelve-week, two hour courses in the behavioral and social sciences, communications skills, current problems, and union administration.

They will be conducted at the college level in the tradition of liberal education courses. The great majority of Connecticut's trade union members work and reside in metropolitan areas and are greatly affected by changes on the urban scene. Therefore, the program outlined in this proposal will serve their interests as well as those of all citizens in the state.

II. Goals and Objectives

The goal of this proposal is to establish a long-term non-residential study program which will achieve the objectives described herein. As an organized force, labor unions should play a constructive role in solving metropolitan area problems. To do so effectively, however, requires more than a sense of community-mindedness on the part of a few top union leaders who serve on community boards. Effectiveness depends on two major developments:

A) The development of a union leadership with an understanding of our complex urban society in enough depth to help plan and to actively support programs aimed at the solution of current and future problems.

B) The development of a secondary union leadership able to communicate with and motivate the rank and file to play a meaningful role at the community level.

Both these developments depend upon programs of leadership training with special emphasis on preparation for action in metropolitan areas.

III. Background of Proposal

The University of Connecticut has been engaged in labor education activities since 1949. Until December 1961, these activities were carried on by the Labor-Management Institute, which was dissolved in December 1961. The Labor Education Center was established at that time as a department of Continuing Education Services to carry on and expand the labor education program in Connecticut. An advisory committee made up of national, state and local trade union representatives and University faculty members is being reconstituted. At the present time, the Labor Education Center is offering courses in basic industrial and labor relations for trade unionists at all levels; holding conferences and seminars in cooperation with various labor organizations; conducting five summer schools in cooperation with international unions and the Connecticut State Labor Council; and is also planning to develop certificate or credit courses in the behavioral and social sciences, communication skills, and union administration for active and potential union leaders.

IV. Program

A. Subject Matter and Curriculum

SUGGESTED CURRICULUM FOR LONG-TERM NON-RESIDENTIAL STUDY PROGRAM FOR TRADE UNION LEADERS AND MEMBERS

TERM: 4 years, 24 weeks per year, (two 12-week sessions per year), 2 1/4 hours per week, including a 15-minute coffee break.

1. Labor and the Urban Society

A study of the social forces in our metropolitan areas which affect the labor movement; power structures, mass psychology, social mobility. An analysis of labor's position in the modern urban community and the means available to unions to deal with community problems in areas such as education, social services, housing, crime, public transport, public utilities, conservation, urban renewal and human values. The shifting nature of the community: changing population, social organization, planning and land use and their impact on labor and the labor movement.

2. Current Economic Problems

Contemporary economic problems at the urban, regional, national and international level. The analysis of the changing character of collective bargaining and governmental economic action in reaction to these problems.

3. Labor Law and History

The Wagner Act, Taft-Hartley, Landrum-Griffin through the case method. The federal and state laws that affect the labor movement. Brief history of American labor.

4. Union Administration

The structure of the labor movement, communications and translation into action, utilization of the steward system, committee organization, contract administration, elements of collective bargaining and arbitration.

5. Psychology and Sociology for Union Leaders and Members

Introduction to the psychological problems of labor leadership in the contemporary urban environment; principles of human behavior, motivation, and understanding of psychological factors in business and industry.

Introduction to Sociology will help the union leader interpret social behavior within the context of society and modern American culture. It will examine such topics as race, population, community organization, social change and such major institutions in our society as the family, political organizations, religious institutions and labor unions.

6. Communications Skills

Principles of communication, and the development of necessary technical skills, including reading improvement and effective oral and written expression.

7. United States and World Problems

The federal, state and the urban community; politics, parties and pressure groups in cities and suburbs; municipal organization and operation. Analysis of the relationship of labor to these problems. The civil rights movement. The United States in the world community.

8. Labor's Current Problems and Goals

Analysis of the major problems facing labor unions and the labor movement today. Emphasis will be on the changing nature of the work force, technological change and automation, foreign trade, and changing management and governmental attitudes towards collective bargaining. An examination of the current philosophy and goals of the labor movement, a comparison with goals of foreign labor movements including those in newly developing nations and an evaluation of these philosophies and goals.

NOTE: The reading of appropriate current literature will be stressed in all courses.

B. Method of Instruction

Methods of instruction will be those usually applied in adult education and will include frequent meetings of students, instructors and program administrators for counseling and evaluation. Reading and writing assignments shall be a part of the curriculum.

C. Instructional Materials and Syllabi

The Labor Education Center will coordinate the preparation, use and evaluation of materials and syllabi. This will enable the Center to utilize resource persons and instructors with outstanding abilities in their respective disciplines, provide for the optimum development of materials, and provide for centralization of effort.

D. Location

This program will be established in areas of major population concentration.

E. Class size, Length and Progression

No more than twenty-five students will be included in any one class or section. The program will be set up as an evening or day-time program depending on the nature of the participants' occupation. If there are enough qualified

applicants, two classes will be set up, one in the evening and one during the day. As the curriculum indicates, completion of the entire program will take four years. Classes will meet twenty-four weeks per year, 2 1/4 hours per week in two twelve-week terms per year. The first term will start in September and end in December and the second term will start in February and end in April.

In the first year of the program, courses 1, 2, 3 and 4 will be offered; in the second year, courses 5, 6, 7 and 8 will be added. Plans call for starting the educational phase of the program in September, 1966.

F. Standards of Performance

Participants will be expected to show evidence of satisfactory reading, writing and verbal achievement in each subject area. A Certificate of Achievement will be awarded to those who complete the four-year program. Successful passage of a special comprehensive oral and written examination upon completion of the program will entitle participants to a recommendation for additional study, scholarships, career opportunities, and other assignments. At the present time, the Labor Education Center and Continuing Education Services at The University of Connecticut are exploring the possibilities of establishing a credit program in trade union studies on an extension basis. If such a program is established, the Long Term Non-Resident Study Institute for Trade Union Leadership could be made a part of the credit program.

G. Evaluation

The project coordinator will develop a continuing evaluation process using the criteria established by the National Institute of Labor Education (NILE) Advisory Committee and he will maintain appropriate records.

V. Facility Resources

Instructors will be required to meet the regular university standards for approval as instructors in their respective subject matter areas and will be available to counsel students. Scholars, qualified in their field and knowledgeable about the aims and goals of this program, will be asked to prepare supplemental instructional materials and syllabi.

VI. Eligibility, Recruitment and Selection

Any trade union member, officer or staff person who is qualified to handle work at the level of the proposed program will be eligible.

VII. Administration

Administration of this program will be the responsibility of the project coordinator, a member of the Labor Education staff, who will work in cooperation with the Labor Advisory Committee, local central labor bodies, and international and local unions.

THE LABOR EDUCATION CENTER
Of The University Of Connecticut

In Cooperation With

THE GREATER BRIDGEPORT LABOR COUNCIL, AFL-CIO

Offers Its

ANNUAL
E D U C A T I O N P R O G R A M
for Bridgeport Area Trade Unionists

To Be Held At The

BASSICK HIGH SCHOOL
1181 Fairfield Avenue
Bridgeport, Connecticut

Please indicate below the number of students who will be registering for each course.

MONDAY NIGHT OFFERINGS - February 28; March 7, 14, 21, 28; April 4, 11 and 18.
7:30 - 9:30 p.m.

Check Box		No. of Students
☐	Union Administration and Leadership	_____
☐	What Every Trade Unionist Should Know About Economics	_____

THURSDAY NIGHT OFFERINGS - March 3, 10, 17, 24, 31; April 7, 14 and 21.
7:30 - 9:30 p.m.

☐	Effective Union Communications	_____
☐	Collective Bargaining	_____

Local Union Number _____ Address _____

City _____ State _____ Zip Code _____

Authorized Officer and Title _____

Check Box -

☐ Check enclosed.

☐ Bridgeport Labor Council will bill the Local Union.

☐ Student will pay at registration.

FEE - $6.00 per student for each course.

Mail this form to: Harold Alpert, Chairman, Education Committee
The Bridgeport Labor Council, 600 Hallett Street, Bridgeport, Connecticut

ROOSEVELT UNIVERSITY
LABOR EDUCATION DIVISION

Roosevelt University was founded in 1945 to provide opportunity for learning and teaching in conditions of freedom and equality. It was founded in controversy over basic issues of democracy and freedom.

The Board of Trustees and Advisers includes Walter Reuther, Morris Bialis, Patrick Gorman, Jacob Potofsky, David Dubinsky, Adlai Stevenson, Ralph Bunche, and the late Mrs. Eleanor Roosevelt. The University library is named after Philip Murray and William Green who were advisers.

The Labor Education Division has equal status with all the other schools in the University. The first Director of the Division, Frank W. McCulloch, is the present Chairman of the National Labor Relations Board.

Robert J. Pitchell, the new president, has expressed the same support for labor education in an university setting that the founding president, Edward J. Sparling, maintained during his tenure.

The Division is involved in many new programs in the War on Poverty and in efforts to establish civil rights and equality for all citizens.

The office workers and all maintenance employees have a union shop and there is a local of the American Federation of Teachers at the University. The University has an unusual interest in serving the labor movement as well as other segments of our democratic society. We welcome your participation in the spirit of *training for better union service.*

FRANK McCALLISTER, Director
TED RUHIG, Assistant Director
DUANE BEELER, Coordinator
HARRY KURSHENBAUM, Supervisor

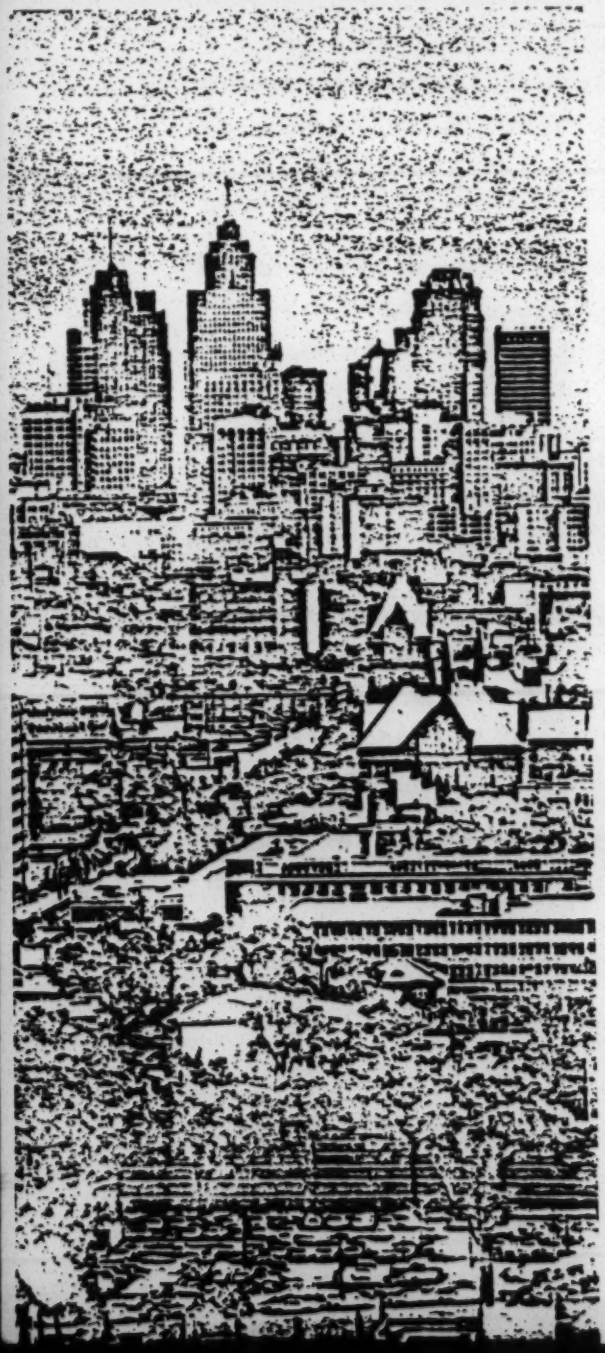
WORKERS BASIC STUDY PROGRAM

WORKERS BASIC STUDY PROGRAM

For the workers

of

greater Detroit



the labor school

OF

THE UNIVERSITY OF MICHIGAN - WAYNE STATE UNIVERSITY INSTITUTE OF LABOR AND INDUSTRIAL RELATIONS.

IN COOPERATION WITH THE MICHIGAN AFL-CIO, WAYNE COUNTY AFL-CIO AND OTHER UNION ORGANIZATIONS.

A TWO-YEAR ADVANCED LEVEL EDUCATIONAL AND TRAINING PROGRAM.

PARLIAMENTARY LAW POCKET CHART

ALL THE RULES AT A GLANCE

LABOR EDUCATION DIVISION
ROOSEVELT UNIVERSITY
430 South Michigan Avenue
Chicago 5, Illinois
WA 2-3580

FRANK McCALLISTER, Director
Ext. 201
TED RUHIG, Assistant Director
Ext. 202
DUANE BEELER, Special Projects
Ext. 203

	Motion	Debatable	Amendable	Requires a Second	Vote Required	In Order When Another Is Speaking	Can Be Reconsidered	Motions to Which It Applies	Motions Which Apply to It
PRIVILEGED MOTIONS	TIME FOR NEXT MEETING (when privileged)	No	Yes	Yes	Majority	No	No	None	Amend
	ADJOURN	No	No	Yes	Majority	No	No	None	None
	RECESS	No	Yes	Yes	Majority	No	No	None	None
	QUESTION OF PRIVILEGE (treat as Main Motion)	Yes	Yes	Yes	Majority	Yes	Yes	None	All
INCIDENTAL MOTIONS	ORDERS OF THE DAY	No	No	No	None; it takes ⅔ to postpone special order	Yes	No	Any special order	None; except to postpone orders
	APPEAL	No	No	Yes	Majority	Yes	Yes	Any decision of the chair	Lay on table. Close debate. Reconsider
	POINT OF ORDER	No	No	No	None; unless appealed; then majority	Yes	No	Any motion or act	None
	OBJECTION TO CONSIDERATION OF QUESTION	No	No	No	⅔	Yes	Yes	Main questions and questions of privilege	Reconsider
	READING PAPERS	No	No	Yes	Majority	No	Yes	None	None
	WITHDRAWAL OF MOTION	No	No	No	Majority	No	Yes	Any motion	Reconsider
	SUSPENSION OF RULES	No	No	Yes	⅔	No	No	Any motion where needed	None
SUBSIDIARY MOTIONS	LAY ON THE TABLE	No	No	Yes	Majority	No	No	Main questions, appeals ques. of priv., reconsider	None
	PREVIOUS QUESTION (close debate)	No	No	Yes	⅔	No	Yes	Any debatable motion	Reconsider
	LIMIT OR EXTEND LIMITS OF DEBATE	No	Yes	Yes	⅔	No	Yes	Any debatable motion	Reconsider
	POSTPONE TO A DEFINITE TIME	Yes	Yes	Yes	Majority	No	Yes	Main motion, question of privilege	Amend, Reconsider Limit or Close debate
	REFER OR COMMIT	Yes	Yes	Yes	Majority	No	Yes	Main motion, question of privilege	Amend, Reconsider Limit or Close debate
	AMEND	Yes	Yes	Yes	Majority	No	Yes	Main motion, limit, debate, refer, postpone, fix time of next meeting	Amend Reconsider Close debate
	POSTONE INDEFINITELY	Yes	No	Yes	Majority	No	Yes	Main motion, question of privilege	Limit or Close debate Reconsider
	MAIN MOTION	Yes	Yes	Yes	Majority	No	Yes	None	All
	RECONSIDERATION*	Yes, if motion to which it applies is debatable	No	Yes	Majority	Yes	No	Any motion except adjourn, suspend rules, lay on table	Limit debate, Lay on table Postpone definitely
	RESCIND*	Yes	Yes	Yes	⅔ of members present; majority when notice to rescind was given at previous meeting	No	Yes	Main motions, appeals, question of privilege	All

*These are treated as if they were main motions.

ROOSEVELT UNIVERSITY
Labor Education Division

is pleased to announce

Labor Leadership in a Dynamic Society

A SPECIAL 32 WEEK, one night a week, program

that analyzes the various problems that challenge officers of the local union. This is a program tailored to the specific needs of all officers, including stewards and committee chairmen, in the local union. The need for this special, long-term program has been voiced by many leaders in the Chicago labor movement.

Adults in general—and labor leaders in particular—have a great deal of experience and practical education. With this in mind, a long term leadership program must utilize these experiences and draw upon the latest findings in the Social Sciences.

The program will be informal group discussion with outstanding social scientists used to enrich the discussions. The size of the group will be limited to twenty-five members.

The educational background of the local officers and the time available for outside study has been carefully considered.

The program at all times keeps in mind the primary needs of the working officers of the local unions in trying to serve their membership. The program likewise emphasizes individual development, believing that the community requires leaders prepared for action.

THESE ARE TYPICAL QUESTIONS TO BE ANSWERED IN THE PROGRAM

How does the member view his union?
Why do people behave the way they do?

How should the member be treated who does not use the union procedure?
Why does an individual act as he does?

How can participation and structure of the meeting be improved?
How does the labor leader see himself?

What are the types of leaders and their role within the union?
How does leadership vary in different situations?

Why is it important to distinguish between a grievance, gripe, and complaint?
What is the relation of automation to the changing work force?

What are the legal principles used in the interpretation of agreements?

COORDINATOR FOR THIS SPECIAL PROGRAM will be Duane Beeler, who will attend all meetings so that students may consult with him. Mr. Beeler is a working railroader and has been General Chairmen of a system Grievance Committee of the Brotherhood of Railroad Trainmen for the past 18 years. He has received his Master's degree in the Social Sciences (sociology, psychology, anthropology, economics) from the University of Chicago. He is the author of such books and articles on union procedure as: INVESTIGATIONS, YOU ARE HEREBY NOTIFIED, INSUBORDINATION, WHAT MAKES THEM TICK, INTERPRETATION OF AGREEMENTS, AND ATTRIBUTES OF A LOCAL CHAIRMEN.

TUITION: **$90 for the entire program**

STARTING DATE: **First week of October**

STARTING TIME: **7 p.m.**

I am interested in further information on **LABOR LEADERSHIP IN A DYNAMIC SOCIETY.**

Labor Education Division
ROOSEVELT UNIVERSITY
418 S. Michigan Ave.
Chicago 5, Illinois
Tel.: WA 2-3580 — Ext. 202

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UNION AFFILIATION.....

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Offered by The University of Wisconsin Extension Division, School for Workers, together with your Vocational School, in cooperation with the local trade union movement.

THROUGH PARTICIPATION IN AN EDUCATIONAL PROGRAM, A LOCAL UNION CAN SERVE TWO VITAL FUNCTIONS:

1. Help develop a better understanding of labor's goals and methods.

2. Help train local union leadership.

CIVIL RIGHTS, SOCIAL SECURITY AND MEDICARE

This course will consider recent changes in Federal and state legislation which directly affect the individual employee and human relations in the plant and community. Major emphasis will be given to Title VII of the 1964 Civil Rights Act, the Wisconsin Fair Employment Practice Act, and other legislation aimed at the elimination of job discrimination on the basis of age, sex, race or religion.

In addition, the course will seek to develop an understanding of significant changes in social welfare legislation which affect the economic well-being of the individual and the community. To be considered are such subjects as the new provisions for retirement income under Social Security, medical care for the aged, recent developments in workmen's compensation, unemployment compensation and minimum wage legislation.

DATE: March 2, 1966 and every Wednesday thereafter for a total of 8 weeks

TIME: 7:00 - 9:00 each evening

PLACE: Marshfield School of Vocational and Adult Education,
West Third Street, (Purdy Bldg.), Marshfield, Wisconsin.

SPONSORED BY: The Marshfield School of Vocational and Adult Education
and the School for Workers, University Extension Division.

Pitts

Miles College Pitts

November 24, 1965

Dr. Lucius Pitts, President
Miles College
Birmingham, Alabama

Dear Dr. Pitts:

At the request of Analoyce Clapp and Robert Taylor, Assistant to President Harrington, University of Wisconsin, I am enclosing literature describing the School for Workers of the University of Wisconsin.

Should you wish to visit our operation, we would be happy to see you.

A member of our faculty, Emory Via, is currently on leave this year and is working with the Southern Regional Council and is located in Atlanta, Georgia. I am sure that he would be happy to talk to you about labor education. There is currently some Federal money which is available in certain states.

Sincerely yours,

Robert Ozanne
Director

RO:bjr

cc: Analoyce E. Clapp
Robert Taylor

November 17, 1965

Dr. Robert Taylor
Assistant to the President
University of Wisconsin
Madison, Wisconsin

Dear Bob:

Dr. Lucius Pitts, President of Miles College, Birmingham, Alabama, is greatly interested in the University of Wisconsin's Workers' School. From the little I could tell him about it, it appears to me that Miles College might benefit from that kind of school. They have been trying to formulate some sort of workers' education program down there, and have established night courses in several categories.

Will you please send Dr. Pitts some information on our Workers' School? I am sure he will appreciate it, and so will Potomac.

Sincerely,

Analoyce E. Clapp

AEC:EMA

P.S. I'll tell Dave and Bill to stop in to see you some day before Christmas -- if they're not studying too solidly.

XERO COPY

THE POTOMAC INSTITUTE, INC.
1501 Eighteenth Street, N.W. • Washington, D.C. 20036 • 332-5566

June 9, 1966

Mr. Emory Via
Southern Regional Council
5 Forsyth Street N. W.
Atlanta, Georgia 30303

Dear Emory:

I am sorry we did not have a chance to chat at The White House Conference. I kept thinking there would be a few minutes somewhere, but when those few minutes came, I was whipped.

I am enclosing copies of two letters. Did Dr. Pitts ever contact you for further information about workers' classes? He has started a few evening classes, but did want further information. He may have contacted Bob Ozanne directly, or he may have been bogged down with other projects.

These letters I just checked through as I was cleaning personal items out of the files, since I am leaving Potomac the 15th. It was a sad decision. This summer I will be writing a little, for two midwest dailies, but mostly I will just have a vacation.

Nice to have met you, even briefly.

Most sincerely,

Analoyce

Analoyce E. Clapp
(Mrs. Norman M. Clapp)

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XERO COPY XERO COPY XERO COPY XERO COPY

MILES COLLEGE

BIRMINGHAM, ALABAMA 35208

September 24, 1966

OFFICE OF THE PRESIDENT

Mr. Frank McCallister
Director
Labor Education Division
Roosevelt University
430 South Michigan Avenue
Chicago, Illinois 60605

My dear Mr. McCallister:

Thank you for responding positively to our letter of invitation to come to Miles. I can understand your loaded schedule.

It would be to our convenience to have you come on October 28. However, if it is more convenient for you to come on the 24th, we can adjust.

I too enjoyed meeting you and hope from the contact that something will come to fruition.

Very truly yours,

L. H. Pitts

L. H. Pitts

LHP:rrw

October 3, 1966

Mr. Larry Rogin, Director
Department of Education, AFL-CIO
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Larry:

Monday, September 26, Jim Sparling and I spent a wonderful hour with Walter Reuther at Solidarity House.

Among other things Walter agreed to stimulate more support in the labor movement for the federal labor extension services we had been talking about for the U. S. Department of Labor. I suggested that he get in touch with you to get the details of what has been done up to now.

The President of Miles College in Birmingham, Alabama has asked me to serve as a consultant in helping them establish a labor education program. This Negro college in the center of the steel industry could well become another pioneer of labor education.

I would like very much to get your reaction as well as Stanton Smith's about the best way to proceed. Would you please discuss this with him and let me know your feelings in the matter. It might be desirable to have you or someone you designate attend the first meeting which will be held the latter part of October. In addition we might involve Emory Via who is still with the Southern Regional Council, Inc. in Atlanta. Please let me know as soon as you can. Oct. 28

Cordially yours,

F.M.

Frank McCallister
Director

FM:egf
opeiu 391

cc: Emory Via

ROOSEVELT UNIVERSITY

LABOR EDUCATION DIVISION

AC 312

430 SOUTH MICHIGAN AVENUE • CHICAGO, ILLINOIS 60605 • WABASH 2-3580

Frank McCallister
Director

Duane Beeler
Assistant Director

Ronald J. Peters
Extension Coordinator

October 21, 1966

Mr. Emory Via
Southern Regional Council, Inc.
5 Forsyth, N. W.
Atlanta, Georgia

Dear Emory:

We are meeting with Dr. Pitts, president of Miles College, Birmingham, Alabama, in his office at 10:00 A.M., Friday, October 28, to discuss the establishment of a labor education program at Miles.

I wonder if you would be able to join us in the meeting. I am sure that I could get Dr. Pitts to pay your travel expenses, if that would be a factor.

If you come and drive over, I would like to ride back with you to Atlanta Friday evening to see my daughter and her family. In any event I hope to see you and Margaret while I'm down that way.

Cordially yours,

Frank

Frank McCallister
Director

FM:egf
opeiu 391

Va-NC. SC.
Ralph McCallister
LINK
NCF

Barney Weeks
Fred Hoehler

Civil Liberties

THE CHRISTIAN SCIENCE MONITOR

FEBRUARY 5, 1949

Right to Curb Pickets Warmly Debated

By Alice Myers
Staff Correspondent of The Christian Science Monitor
Chicago

The rights of labor are being debated with some heat in Chicago classrooms as well as in the halls of Congress. Progressively keener interest is being shown here in the history and problems of the American labor movement.

One example of this interest is the current four-session institute on "The Rights of Labor in a Democratic Society" being conducted at Roosevelt College under the joint auspices of the Chicago Division of the American Civil Liberties Union and the Labor Education Division of the college.

Whether picketing ever should be restricted was the topic for discussion at the first session at which Leon Despres, labor attorney, served as chairman. Dr. John A. Lapp, educator and labor-arbitrator, shared the speaker's platform with Ralph Helstein, president of the United Packinghouse Workers of America, CIO, and member of the executive board of the CIO. The two-hour session closed with several hands still raised for questions.

Individual Right

Both speakers agreed that picketing is an individual right that should be protected under the basic civil right of free speech. "In safeguarding the rights of labor to picket we are safeguarding the rights of ourselves to do many other things," Dr. Lapp declared.

Besides, he added, once men are conceded the right to strike, it follows they have the right to do what is legitimately possible to make a strike effective. This would include peaceful picketing.

While considering strikebreakers a menace and hoping to see the time when they are completely outlawed, Dr. Lapp said no one should have the right "physically to exclude persons from entering a plant." However, if the majority of workers in a plant vote to strike, he thinks the minority have no right to cross the picket line.

Dr. Lapp was inclined to think peaceful picketing had been generally accepted as a right, but Mr. Helstein regarded this view as overly optimistic. He related experience after experience during last year's prolonged packing house strike to show that the right to picket is an urgent problem today, that it is far from being accepted as a right. As a practical fact, he said, there are so many encroachments on the right to picket that picketing is largely ineffective.

Sixty to 70 packing houses scattered throughout the country were involved in last year's strike. Local courts issued injunctions against picketing in all but five plant cities, Mr. Helstein said. These injunctions varied greatly. One limited the number of pickets to two. Another limited them to one to every 50 feet. In Mason City, Iowa, where the number was limited to 10, a packing house workers, holding a baby in one arm and a four-year-old child by the hand, was arrested as an 11th picket, according to Mr. Helstein, because the allowed 10 happened to stop to talk to him in front of his house which happened to be next door to the packing plant.

In Kansas City, Kan., Mr. Holstein said, the police beat up a group of peaceful pickets and damaged their union hall. When the union sought an injunction against the police, it was unable to get one, but just a few weeks ago the union did collect $11,000 damage from the city for what its police had done.

Mass Picketing Issue

The question of mass picketing roused the most debate—without any very clear-cut conclusions. Dr. Lapp thought there should be some "reasonable limitations" on mass picketing, and that mass picketing should not be permitted in certain places, such as the corner of Madison and State Street, where it would seriously interfere with traffic. However, at another point he had characterized as "the lowest descent of justice" cases where the judges limited the number of pickets.

Mr. Helstein would object to any legal restraints on mass picketing, but said that as a matter of tactics it "would be crazy" for any union to send a big picket line to such a spot as Dr. Lapp described.

Giving the philosophical basis for his objection to any outlawing of peaceful picketing, Mr. Helstein said: "It seems to me a trade union is essentially a mechanism through which people exercise their basic civil rights, such as the right of lawful assembly, of redress of grievances, and the right to engage in freedom of speech. (Picketing is interpreted as coming under the latter.) Any attempt to enact legislation to interfere with picketing is an attempt to interfere with these basic civil rights."

Dual Purpose

Mr. Helstein said his experience has been that without exception picketing usually is intended to be peaceful. Mass picketing generally reflects one of two things, he added: Either a tactical measure to keep up the morale of the strikers by having large numbers take part; or a response to a deliberate attempt by employers to break the strike.

Observers at the institute felt the generally confused, though interested, state of thinking apparent during the discussion period indicated the current necessity for American citizens to inform themselves on such vital labor matters and think out what are labor's rights in a democracy.

The coverage given by The Christian Science Monitor on the four-session institute on "The Rights of Labor in a Democratic Society" sponsored by the Labor Education Division of Roosevelt College, and the Chicago Division of the American Civil Liberties Union.

THE CHRISTIAN S

FEBRUARY 14, 1949

How to Cut Strikes Stumps Speakers At Chicago Forum

By Alice Myers

Staff Correspondent of The Christian Science Monitor

Chicago

To summarize the second session of the current institute at Roosevelt College on "The Rights of Labor in a Democratic Society" would be impossible. Even the chairman who was supposed to do so at the session's close gave up with a helpless shrug.

The topic of the evening was whether strikes affecting the national welfare should be limited. The brochure announcing the institute led one to believe answers would be given to such questions as: What strikes affect "national welfare"? Where does "national welfare" end? What causes such strikes and how can we reach the cause? What legislation should be supported?

If anyone has any ready answer to these urgent questions, he wasn't among the 100 or so who attended the institute.

Besides a handful of college students, those present included local union leaders, several labor arbitrators, and a miscellaneous group of interested citizens. The discussion would have been even more fruitful had there been some straight management representatives to take part. They could have been there; the institute was open to the public and had been publicized in local newspapers.

Rapid-Fire Questions

Probably the only fact all those present might have agreed upon was that it was a hot subject they were debating. So many questions were fired at the two speakers they must have begun to feel like a couple of jack-in-the-boxes on the platform. In fact, they even kept bobbing up at each other with questions.

Charles O. Gregory, professor of law at the University of Chicago, who has had some years' experience as a labor-management arbitrator, opened the discussion with the encouraging remark that, "No one knows the answer to this one." By the time he and Daniel D. Carmell, counsel of the American Federation of Labor, got through, the professor's initial statement looked like the least controversial one of the evening.

Professor Gregory reviewed several methods that have been tried, and some that are proposed, to avert nationwide tie-ups of essential industries or utilities. Most thinking people, he feels, agree that mere repression is stupid. Conciliation and mediation, on the other hand, have proved inadequate, in his opinion. As for compulsory arbitration, neither management nor labor like it, as they don't like imposed prices of either commodities or labor.

Legislative View Given

Some employers, he said, would liked to see the president empowered to put such a strike on ice and turn the problem over to Congress to deal with it through legislation. But no one present seemed to think this idea had any merit beyond the possibility that both parties might be so scared of the mess Congress might make that they would be impelled to come to terms.

Among the suggested plans for dealing with "national emergencies" caused by threatened strikes, Professor Gregory described several, including the Virginia law now being invoked against bus lines, that would provide for government seizure of struck properties in one form or another. He also detailed an idea of his owh for setting up a permanent public industrial commission to follow conditions in certain key industries. If a strike threatened, the commission would get employers and unions together to fix up their contract, strikes or lockouts being prohibited meanwhile. If the parties involved couldn't agree, then the commission would write the contract.

Thinking Termed Vital

Not that he felt any of the plans presented offered a real solution. "But," he said, "I think some such plans will have to be thought about if we have a few more strikes like those in the maritime, railroad, and coal industries."

While agreeing that "no one relishes a national emergency," Mr. Carmell sought to remind everyone that the right not to work is a primary right of a free society, guaranteed by the 13th Amendment, which outlaws slavery and involuntary servitude. If this right is to be abridged, it should be done by constitutional amendment and not by legislative acts, he held.

'Less Than a Slave Law'

Of the Virginia law which provides that the governor can declare an emergency, draft workers into the militia and court martial them if they refuse to work, he asked: "Is that less than slave labor?" He would not object, however, to state or federal government using their regularly constituted militia or army and navy to run an essential industry when the public welfare was threatened by a strike.

Mr. Carmell seriously questioned whether any conceivable strike could be more dangerous to the "public welfare" than the abridgement of a free man's right to quit work. And he indicated that industrial employees will sacrifice a great deal to preserve the right to stop working under terms and conditions of employment they consider unacceptable.

What labor actually wants today, Mr. Carmell said at one point, is to be able to get back to the pre-war Labor Board position of being able to bargain collectively in good faith on essential issues. He claimed such bargaining had gone out the window under the War Labor Board and Taft-Hartley. Under these, he said, both parties have come to depend on government to step in and do what they should do for themselves.

SCIENCE MONITOR

FEBRUARY 23, 1949

Keen Debate in Chicago Airs Collective Bargaining Issues

By Alice Myers
Staff Correspondent of The Christian Science Monitor

Chicago

Some members expected that the third session of the Roosevelt College institute on "The Rights of Labor in a Democratic Society" would be a letdown or at least, in labor-management lingo, a cooling-off period, after the heated discussion of the second session. But it wasn't.

In fact, debate was even keener since, for the first time during the institute, the two speakers came from definitely opposite sides of the issue. The subject was "How Far Should Collective Bargaining Go?"

Frank Donner, assistant general counsel of the CIO, spoke for organized labor. Patrick Nagle, labor relations counsel of the Employers' Association of Chicago, was equally eloquent in behalf of management.

Both speakers more or less agreed there is no pat answer to how far collective bargaining should go. As Mr. Donner put it, "The answer is all tied up with the history of the particular industry." In Mr. Nagle's words, "A union and a company can bargain on anything under the sun if they do so voluntarily, as long as no rights or laws are violated."

But beyond this, their views differ.

Mr. Donner, who has argued many cases for labor before the courts and government boards, took the position that without legal compulsion it was doubtful whether many employers would engage in collective bargaining at all. On this primise, and foreseeing "a tremendous drive toward bargaining for welfare benefits," he said employers should be compelled to bargain collectively on pensions and other welfare benefits.

Strong Exception Taken

Mr. Nagle, who has had wide experience in collective bargaining, took the position that compulsory bargaining should be limited to wages, rates of pay, hours of employment, and physical conditions in the shop.

The soon-to-be director of the Fox River Valley Employers Association took strong exception to union arguments that unless compelled to do so, employers would give their workers few if any benefits, and cited the many pension plans that have been put into effect in industry without any compulsion.

To this Mr. Donner retorted that most such plans were inadequate or had been instituted to break unions. Mr. Nagle admitted some pension plans had been put in for selfish reasons but asserted that the motivation in many cases was entirely laudable. He insisted that not all workers' benefits have come about as the result of compulsion—that times do change men, even employers. Thousands of employers, he went on, have adopted plans of one kind or another that will help their workers because they have come to realize that what is good for the company is good for the employee and vice versa.

Earnings or Gifts?

The question was warmly argued as to whether pensions represent earnings by employees or gifts by employers. Mr. Donner took the position that a pension is a deferred wage, something the employee earns, therefore an appropriate subject for collective bargaining. Moreover, he asked, what was a retirement plan but a form of discharge procedure, and discharge procedures, he pointed out, are included in virtually all labor-management contracts.

Mr. Nagle came back with the proposition that if a pension is something the employee earns during the period of service, then he should be allowed to spend that earning as he sees fit. Union leaders, he said, should have no right to compel him to defer that wage. "If 60,000,000 workers are not capable of taking care of their own welfare," he challenged, "let's face that fact and proceed from there."

But, he insisted, referring both to pensions and union demands for other welfare benefits such as hospitalization and medical care, employers should not be responsible for needs and ills of employees, regardless of their origin.

The speakers contested another point. Mr. Donner had said all the unions wanted was to compel employers to sit down and listen to their pension and welfare demands. He said it did not mean they had to agree to them. Mr. Nagle insisted that if employers are compelled to bargain on these points, it means they must eventually agree to such plans.

"When it is made compulsory for the employer to bargain on these issues," he warned, "we will see a stoppage of industrial expansion and a cutting down on employee benefits." He maintained it was not economically feasible to make pensions and welfare benefits a part of union contracts.

To this Mr. Donner, who wrote most of the brief in the Inland Steel Case in which the United States Supreme Court ruled that pension plans were subject to collective bargaining, replied that in 1935 employers thought bargaining should not be compulsory on any subject.

THE CHRISTIAN SCIENCE MONITOR

MARCH 3, 1949

Relations of Labor Unions Debated at Chicago School

By Alice Myers
Staff Correspondent of The Christian Science Monitor

Chicago

Workers need protection in some fashion from certain forms of union regulation, both speakers agreed. The question was how much protection and through what agencies.

The occasion was the fourth and final session of Roosevelt College's institute on "The Rights of Labor in a Democratic Society." Less cleavage of opinion marked this session, but the evening proved no less stimulating than the other three.

The rights and responsibilities of individual union members was the topic of discussion. In contrast to the previous sessions which dealt with unions in their relation to management and to the general public, the last one dealt with the relation of the union to its own members or would-be members.

Joseph Kovner, graduate of Yale Law School, who served as counsel to the labor vice-chairman of the War Production Board during the war and who participated with William Leiserson in an extensive study for Johns Hopkins University of the internal operations of unions, thinks our present judicial system is adequate to protect the rights of workers. He cited many court decisions upholding the rights of workers against discriminatory union policies.

Bill Criticized

Joel Seidman, member of the social science faculty of the University of Chicago and author of "Union Rights and Duties," favors greater administrative action to protect workers. He criticized the administration's proposed labor act of 1949 because it contains no provisions to require open unions, democratic management, or fair trial with right of appeal for those convicted of offenses.

"Workers," he said, "should have the right to be admitted to unions without discrimination and they should have the right of appeal to an impartial agency in case of heavy fines, suspension, or expulsion. This should permit proper union discipline while safeguarding the rights of those whose only offense is opposition to the union leadership. The right to change a bargaining agency at an appropriate time should receive explicit protection in the statute. Such provisions for promoting justice within unions, far from diminishing bargaining strength, will increase it by insuring the loyalty of the membership."

No Surprise

It was not surprising, he added, that the Wagner Act made no attempt to assure such protection to workers, since it largely was employers' abuses that led to its enactment. But today there is less excuse for such failure. Growth of the labor movement from 4,000,000 in 1935 to nearly 16,000,000 in 1949 has shown, he said, that the size and power of unions do not insure justice and democracy in internal affairs.

The Taft-Hartley Act, Mr. Seidman explained, dealt with some of the abuses that widespread closed shops made possible where unions were run in an undemocratic fashion, but used them as an excuse for a punitive measure aimed primarily at weakening union bargaining strength and effectiveness in strikes.

Thus a worker belonging to a minority group was protected against discharge on a union's demand if membership was not open to him on equal terms, but he was given no right to become a union member, where he could have a voice in determining his wages and working conditions.

The closed shop, Mr. Seidman believes, should be retained, but its abuses outlawed.

No Typical Method

While pointing out various discriminatory practices, both speakers made it plain these were not typical of the majority of unions, but that since they do exist, they must be dealt with. Mr. Kovner, for instance, is trying to get a bill through Congress that would give union members the right to sue in the courts for denial of their rights. When such denial of their rights results in loss of employment, if they win the case, he holds, they should receive double the loss in wages plus the lawyer's fees.

Pointing out that historically the organization of workmen into unions is a part of the great American tradition of self-government by private voluntary associations of individuals engaged in common activities, Mr. Kovner declared:

"The American trade union represents the capacity of the American citizen for self-government. It is an extraordinary capacity. It is today the hope of the world when totalitarian regimes succeed one another and the faith of Europe in self-government has been undermined by political catastrophes."

Civil Liberties

He was optimistic that the guarantee of basic civil liberties to union members would assure the correction of such abuses as now exist. "If union members can express themselves freely about the management of the union by the officials, if they can communicate with other members and other locals, if they can form opposition groups and parties, if they have access to vital information about the management of union affairs, if they have recourse to the courts for the denial of these rights or the discriminatory application of union laws, or the denial of a fair trial, the improvement of unions and the correction of abuses," he maintained, "can be left in the hands of the members of trade unions."

There was considerable discussion of union discrimination against Negroes in particular. Mr. Kovner cited a Supreme Court decision in the case of some Negro firemen to show that actually the law forbids unions to discriminate on racial or religious grounds. The court ruled that a union holding exclusive bargaining rights under a labor relations act cannot discriminate against any of the persons it represents, whether members or not, on account of race. The Negro firemen had been deprived of their seniority rights. The union, said Chief Justice Harlan Stone, was under the same duty which the Constitution of the United States imposes upon the federal and state legislatures: They cannot deny any inhabitant equal protection of the laws.

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TAYLOR FORGE & PIPE WORKS
v.
NATIONAL LABOR RELATIONS BOARD

U. S. Court of Appeals
Seventh Circuit (Chicago)

Taylor Forge & Pipe Works
v. National Labor Relations
Board, No. 11617, June 6, 1956

LABOR-MANAGEMENT RELATIONS ACT
-- Refusal to bargain -- Refusal
to furnish information to union

Board held warranted in finding that employer, while engaged in bargaining negotiations with union including the matter of wage increase, violated Section 8(a)(5) of Act by refusing to furnish union with information as to certain "point ratings" which employer used in determining each employee's rate of pay. Point ratings constituted an important consideration in employer's entire wage structure; the exercise of judgment was involved in the point ratings thus increasing the area where controversy was likely to result; and employer had supplied the information to union in every case where it was relevant to an individual grievance.

- - - - -

On petition for review of an NLRB order (36 LRRM 1358, 113 NLRB No. 65). Order enforced.

Before Duffy, Chief Judge, and Major and Finnegan, Circuit Judges.

Full Text of Opinion

MAJOR, Circuit Judge:-- Petitioner, while engaged in bargaining negotiations with the Forge and Machine Workers Union, the statutory bargaining representative of its employees, refused the Union's request for information as to certain "point ratings" which petitioner used in determining each employee's rate of pay. The Board (with two members dissenting) concluded that the requested information was relevant and essential to the parties' bargaining and that, consequently, petitioner's conduct constituted a refusal to bargain, in violation of Sec. 8(a)(5) and (1) of the Act (Title 29 U.S.C.A. Sec. 158(a)(5) and (1). The Board's decision, rendered August 16, 1955, required petitioner to cease and desist from refusing to bargain with the Union, and as affirmative relief required petitioner to furnish the Union with the information sought and to post notices with a showing of compliance within ten days.

The case is here on petition of the employer to review and set aside the Board's order. In answer, the Board has requested enforcement.

There is no dispute of consequence as to the evidentiary facts. It is the conclusion which the Board has drawn therefrom that forms the basis of the instant controversy. More specifically, the issue is legal rather than factual. Nevertheless, a statement of the facts in some detail appears essential.

/FACTS OF CASE/

On April 16, 1954, representatives of petitioner and the Union were engaged in a bargaining conference, including the matter of a wage increase sought by the Union. At this conference the Union's attorney requested of petitioner's personnel manager information contained in its files relative to certain factors which petitioner took into consideration in evaluating each job and upon which the salary paid therefor depended. The denial of this request constitutes the basis for the instant controversy.

Petitioner paid its employees, some 238 in number, an hourly wage rate, determined as to each job by the number of "points" assigned to that particular job. It appraised the various factors, each being awarded a certain number of points, and the resulting point total determined the rate per hour to be paid for each job. A separate sheet was used for each job, with a written analysis of the work to be done, together with its physical aspects, on one side, and on the other, an evaluation of the human factors involved and the point ratings which the various factors merited. The side of the sheet listing the physical aspects was headed "Job Description." The other side was headed "Job Rating Substantiating Data." We need not dwell upon the "Job Description" information for the reason that this was furnished to the Union and is not in dispute. It is the information setting forth the "Job Rating Substantiating Data" which petitioner refused to furnish the Union. On this side of the sheet petitioner recorded the value of each rating factor. For such purpose eleven factors were employed: Education, Experience, Initiative and Ingenuity, Physical Demand, Mental or Visual Demand, Responsibility for Material or Product, Responsibility for Equipment or Process, Responsibility for Safety of Others, Responsibility for Work of Others, Working Conditions and Unavoidable Hazards. In appraising such rating factors petitioner used as its yardstick a Job Rating Manual, issued by the National Metal Trades Association, which defined the factors and prescribed that each be given a rating from 1st to 5th degree. The manual provided for the conditions required for each degree of a given factor, with the point value to be allowed under the degree determined. Rating was made by comparing the written job description against the manual's degree requirements. Petitioner sought to give each job rating factor that degree (from 1st to 5th) and hence that point value which was called for by the job conditions as described.

While the appraisement which petitioner made of these various rating factors is important, we think they need not be discussed in detail, in view of the admission of the parties relative thereto. It is conceded by the Board that some of the factors lend themselves to a rating as to point value capable of ascertainment to a mathematical certainty. On the other hand, certain other factors are not capable of a point evaluation with any degree of certainty. In other words, the evaluation of such factors for the purpose of determining their point value depends upon the experience and judgment of the evaluator. We do not understand that petitioner disagrees with the Board as to the manner in which it arrives at the point value to be ascribed to the different factors. In its brief it states, "Each described job is evaluated under certain factors according to the judgment of the evaluator, who assigns point values to the job to be used in comparing one job and its wage rate with another job and its wage rate." Moreover, petitioner's personnel manager as a witness admitted that the evaluation of some factors calls for a knowledge of the job rating system, familiarity with the job conditions involved and the exercise of a certain amount of judgment.

We think it is hardly open to dispute but that the total point evaluation assigned by petitioner to the eleven involved factors was not only directly related to the pay determined for each job but that it constituted an important consideration in petitioner's entire wage structure. Moreover, petitioner regarded such information

as important to the Union in adjusting grievances arising in individual cases. Over a period of nine years of processing such grievances it had disclosed to the Union the "degree" ratings of 95 individual jobs out of a total of 238 in its plant. In fact, it was a company policy and practice to allow not only the Union but also individual employees, upon request and a showing of good reason, an opportunity to examine its evaluation information. Petitioner's personnel manager testified that the disclosure of such information resulted in the disposition of a number of grievances involving the hourly pay rate.

/THEORY OF EMPLOYER/

It is contended here, as it was before the Board, that the Union with the information supplied by the company was in as good a position as petitioner to evaluate the involved factors. The testimony of petitioner's personnel manager on this point, however, carried little weight because the witness in attempting to evaluate the points assigned to a certain job came up with a total far short of those which petitioner had previously found such job to merit. This evidently resulted from the fact that the evaluation service for petitioner was performed by a specialist in that field. The witness had not participated in the rendition of this service and hence was unable to determine the points to which the particular job was entitled. This was because the points assigned to a number of factors depended upon the judgment of the evaluator. It follows that an evaluation by persons equally competent and qualified was calculated to produce different results and consequently the wages determined by petitioner for each job would depend upon such varying judgment.

We think petitioner stresses to its disadvantage the fact that its point evaluation resulted from the exercise of judgment, with the consequent determination of the wage fixed for each job. In our view, the fact that the exercise of judgment is involved increases the area where controversy is likely to result. Petitioner in its brief states, "Surely the law does not require an employer to make such an analytical study for a Union." We assume that the law does not impose such a requirement, in fact, that it does not impose upon an employer the duty of making such a study for itself, but when it does so and its process produces a result upon which its wage structure depends, we are not able to discern any good reason why the Union is not entitled to such information in the course of its bargaining negotiations.

Petitioner also states in its brief, "As a matter of fact, there are many other job evaluation procedures which are available to the Union in analyzing the basic facts which it had in its possession." Assuming this is a correct statement, it begs the issue because any evaluation made by the Union in all probability would have differed from that made by petitioner. Thus, a solution of the controversy arising from the Union's demand for increased wages would have been dependent upon a reconciliation of the differing results obtained by the evaluators for the respective parties. We agree with petitioner that it would be just as reasonable to require the Union upon demand to furnish the employer with its evaluation data as to require the employer to furnish such data to the Union. However, we see no reason why either party to the bargaining process should not furnish the other any relevant data or information in its possession pertinent to the wages determined for a certain job or to the wage structure as a whole.

We agree with the Trial Examiner's statement that "Only full disclosure of /petitioner's/ wage structure based on the point values assigned to each factor for all jobs would enable the Union to know whether to press or modify a particular wage

demand, whether inequities exist which merit discussion or correction, and whether other elements are present in the wage structure which, though impossible to visualize beforehand, appear to merit discussion once the full picture is available."

As already noted, petitioner deemed it appropriate to supply the information now in controversy in every case where it was relevant to an individual grievance. In this connection the Board stated, "It is clear that if the data is relevant and necessary in the case of individual grievances, it is equally relevant and necessary where the object of the negotiation is to establish broad pay formulas which will eliminate the necessity of filing individual grievances." With this reasoning as applied to the facts of this case we agree.

/THE AUTHORITIES/

Many cases are cited and discussed by the parties wherein the courts under a variety of circumstances have held that the Act requires an employer to furnish a union with information relevant to bargaining issues. Some of the more important of such cases are Aluminum Ore Co. v. N.L.R.B., 131 F.2d 485, 11 LRRM 693; N.L.R.B. v. Otis Elevator Co., 208 F.2d 176, 33 LRRM 2129; N.L.R.B. v. Whitin Machine Works, 217 F.2d 593, 35 LRRM 2215; N.L.R.B. v. The Item Company, 220 F.2d 956, 35 LRRM 2709, and Boston Herald-Traveler Corp. v. N.L.R.B., 223 F.2d 58, 36 LRRM 2220. We think no good purpose could be served in discussing or analyzing these cases. It perhaps is true, as asserted by petitioner, that the particular information sought by the Union in the instant case has not been involved in any of the court decisions. It is equally true, however, that the courts have announced and applied the general principle that an employer is obligated to furnish the union with data and information relevant to issues about which the parties are obligated to bargain. Typical of such cases is the decision of this court in the Aluminum Ore Co. case (131 F.2d 485, 487, 11 LRRM 693, wherein we stated:

"This /referring to the Act/ contemplates exchange of information, ideas and theories in open discussion and honest attempt to arrive at an agreement * * * In determining what employees should receive increases and in what amounts, it could have been only helpful to have before the bargainers the wage history of the various employees, including full information as to the work done by the respective employees and as to their respective wages in the past, their respective increases from time to time and all other facts bearing upon what constituted fair wages and fair increases."

Petitioner, relying upon N.L.R.B. v. American National Insurance Co., 343 U.S. 395, 30 LRRM 2147, argues that its refusal to furnish the sought information does not in any event constitute a refusal to bargain in good faith. That case, however, is distinguishable from the instant case, as is shown by note 20, page 407, where it is stated, "This is not the case of an employer refusing to bargain * * * /because of an/ erroneous theory * * * of law" as to his bargaining obligation. It has been held in numerous cases that good faith is not open to an employer as a defense to an unfair labor charge based upon its refusal to bargain merely because it entertained an erroneous view of the law. N.L.R.B. v. J.H.Allison & Co.,165 F.2d 766, 770, 21 LRRM 2238; N.L.R.B. v. Corsicana Cotton Mills,178 F.2d 344, 346, 25 LRRM 2298; N.L.R.B. v. Berkley Machine Works & Foundry Co.,Inc.,189 F.2d 904, 28 LRRM 2176.

Petitioner raises other questions which we have considered and find without merit. The petition to review and set aside the Board's order is denied. The Board's request for enforcement is allowed and, upon presentation, an appropriate decree will be entered.

ORDER OF THE SUPREME COURT OF THE UNITED STATES

TAYLOR FORGE & PIPE WORKS
v.
NATIONAL LABOR RELATIONS BOARD, No. 519

Petition for writ of certiorari to the U. S. Court of Appeals for the Seventh Circuit denied December 10, 1956.

TAFT-HARTLEY ACT IN ACTION

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AND

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DECISION OF NATIONAL LABOR RELATIONS BOARD
IN MATTER OF J. I. CASE COMPANY
(OFFICIAL TEXT)

United States of America
Before The National Labor Relations Board

J. I. CASE COMPANY (Rock Island, Illinois) and INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, AFL-CIO	Case No. 13-CA-2200
J. I. CASE COMPANY (Bettendorf Works) and INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, AFL-CIO, and ITS LOCAL 858.	Case No. 13-CA-2297

[MADE PUBLIC: July 11, 1957]

DECISION AND ORDER

On November 26, 1956, Trial Examiner Lloyd Buchanan issued his Intermediate Report in the above-entitled consolidated proceedings, finding that the Respondent had engaged in and was engaging in unfair labor practices within the meaning of Sections 8 (a) (5) and (1) of the Act and recommending that it cease and desist therefrom and take certain action, as set forth in the copy of the Intermediate Report attached hereto. Thereafter, the Respondent, the General Counsel and the Union 1/ filed exceptions to the Intermediate Report with supporting briefs.

Pursuant to the provisions of Section 3 (b) of the National Labor Relations Act, the Board has delegated its powers in connection with this case to a three-member panel.

On January 4, 1957, Respondent moved the Board to dismiss the complaint, contending that certain members of the International Union's Board of Trustees are "officers" within the purview of Section 9 (h) of the Act but have not filed non-communist affidavits in compliance with that section. The Board has held that the Trustees of the International Union, UAW-AFL-CIO, are not officers required to file non-Communist affidavits under Section 9 (h) of the Act, Kohler Co., 117 NLRB No. 42. Moreover, the question as to who are constitutional officers under a union constitution for compliance purposes can only be raised in an administrative proceeding directed solely to inquiring into the compliance status of a union. Such questions are not litigable in representation and complaint proceedings. Kohler Co., supra; Shoe Corporation of America, 117 NLRB No. 158. Accordingly, Respondent's motion is denied.

The Board has reviewed the rulings of the Trial Examiner made at the hearing and finds that no prejudicial error was committed. The rulings are hereby affirmed. 2/ The Board has considered the Intermediate Report, the exceptions and briefs filed by the parties, and the entire record in this case, and hereby adopts the findings, conclusions and recommendations of the Trial Examiner, to the extent consistent with the following Decision and Order.

1. We agree with the Trial Examiner that Respondent violated Section 8 (a) (5) of the Act by refusing the Union's requests of March 15 and 26, 1956, for wage information.

At a meeting held on March 15 to discuss grievances, the Union requested Respondent to furnish time studies covering tractor line jobs at the Rock Island plant. Respondent without explanation declined to make these time studies available to the Union. On March 26, the Union requested the time studies and job evaluation data applicable to a job classified as "turret-lathe vertical" at the Bettendorf plant, which job had been changed from a single to a two-machine operation. At a meeting with the Union on April 12, Respondent's representative read off data from time studies on the turret-lathe vertical operation. The Union's representatives were dissatisfied with the information so given and requested that the time study information be supplied them on the forms used by Respondent so that they could submit the executed forms to the Union's time study experts for evaluation. Respondent's representative refused to give the information on the time study forms used by Respondent and also refused to supply the job evaluation data requested by the Union.

An employer's obligation to grant a bargaining agent's request for original time studies and job evaluation data applicable to particular jobs is well established. 3/ Contrary to Respondent's contention, the Union's right to such relevant wage information is not dependent upon processing a particular grievance through the grievance procedure adopted by the parties. 4/ Nor is it dependent upon the employer's use of such information to substantiate its bargaining position as to wages. As stated by the Board in the Woolworth 5/ case:

The Board with court approval, has consistently held that an employer is under a duty to accommodate a union's request during contract negotiations for relevant wage information. 2/ Like the Trial Examiner, the Board finds that such duty continues after a collective-bargaining agreement has been executed. 3/ The employer's duty, in either instance, is predicated upon the need of the union for such information in order to provide intelligent representation of the employees. When administering a collective-bargaining agreement, the union's need for current and authoritative information is no less real than it was before the contract was executed. Accordingly, in agreement with the Trial Examiner's rejection of the Respondent's other contentions with respect of its duty to furnish wage data, the Board concludes that the Respondent violated Section 8 (a)(5) and 8(a)(1) the Act by refusing to furnish the wage data the Union requested. 4/ (See footnote)

2. Contrary to the Trial Examiner, we find that Respondent further violated Section 8 (a) (5) of the Act by refusing the Union's request of March 28, 1956 for wage information covering all jobs in the bargaining unit at the

Bettendorf plant.

By letter dated March 28, 1956, alleging that it needed the information "for purposes of collective bargaining and contract administration," the Union asked Respondent for time studies, job evaluations, and other materials used to set incentive rates and to classify and evaluate jobs in the bargaining unit. At a meeting in April, Robert Burke, Industrial Relations Supervisor for the Bettendorf plant, advised the Union's representatives that Respondent did not consider itself "obligated" to furnish the requested information.

The requested information was unquestionably necessary to the Union's intelligent representation of the employees in the appropriate unit. Without this information, the Union could not compare jobs and so determine whether a particular grievance had merit and should be processed. Nor could the Union review respondent's wage system for purposes of future wage negotiations or for purposes of contract administration. Woolworth case, supra.

It does not appear from the record in this case that it would be unduly burdensome for Respondent to comply with the Union's request for all relevant wage data. Respondent never advised the Union that it would be unduly burdensome for it to furnish the Union with the requested wage data, nor did Respondent ever discuss with the Union methods of making this data available to the Union. Respondent, in fact, did not offer its defense of burdensome until the hearing before the Trial Examiner. It is clear, therefore, that the defense of burdensomeness was merely an after-thought on the part of Respondent. 6/ Further, while the time study data may be voluminous, it is collected in centralized files and may readily be made available to the Union for examination or duplication. All that is necessary, therefore, is for Respondent to enter into reasonable arrangements with the Union for obtaining the requested wage information. 7/

3. We concur in the Trial Examiner's finding that Respondent has not sustained its defense that the Union's requests for wage information were made for the purpose of harassing the Respondent. It cannot be disputed that the requested time studies and job evaluations were directly related to the setting of wage rates at a Respondent's plants. The union, accordingly, was under no obligation to show a specific immediate or prospective need for this information. 8/ Hence no inference of harassment can be drawn from any failure on the Union's part to demonstrate its need for the requested data. 9/ Nor, in the circumstances of this case, can a purpose of harassment be inferred from the Union's filing of several unfair labor practice charges at the Rock Island and Bettendorf plants merely because the General Counsel did not issue complaints upon these charges. 10/ ORDER: Upon the entire record in this case, and pursuant to Section 10 (c) of the National Labor Relations Act, as amended, the National Labor Relations Board hereby orders that:

1. The Respondent, J. I. Case Company (Rock Island, Illinois), Rock Island, Illinois, its officers, agents, successors, and assigns, shall:

4/ 2/ See N. L. R. B. v. Otis Elevator Co. 208 F. 2d 176 (C. A. 2); California Portland Cement Co. 101 NLRB 1436, 1438.

3/ N. L. R. B. v. New Britain Machine Co., 33 LRRM 2461 at 2462 (C. A. 2); N. L. R. B. v. Hekman Furniture Co. 207 F 2d 561 at 562 (C. A. 6); N. L. R. B. v. Leland Gifford Co. 200 F 2d 620 at 624 (C. A. 1): N. L. R. B. v. Leland Gifford Co. 200 F 2d 620 at 624 (C. A. 1): N. L. R. B. v. Yawman & Erbe Mfg. Co., 187 F. 2d 947 at 948-949. (C. A. 2).

4/ Whitin Machine Works, 108 NLRB 1537.

a. Cease and desist from:

(1) Refusing to bargain collectively with the International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO, Local 806, its agents or representatives, as the exclusive representative of all employees in the appropriate unit with respect to rates of pay, wages, hours of employment, or other conditions of employment, by refusing to furnish to the Union or its agents or representatives information and data concerning time studies and

(2) In any like or related manner interfering with, restraining or coercing its employees in the exercise of the right to self organization, to form labor organizations, to join or assist International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO, Local 806, or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from any or all such activities, except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment, as authorized in Section B (a)(3) of the Act.

b. Take the following affirmative action, which the Board finds will effectuate the policies of the Act.

(1) Upon request, furnish to International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO, Local 806, its agents and representatives, time studies and other wage data and information used by the Company in classifying or evaluating jobs or fixing rates of employees in the bargaining unit:

(2) Post at its plant in Rock Island, Illinois, copies of the notice attached hereto and marked Appendix A. 11/Copies of said notice to be furnished by the Regional Director for the Thirteenth Region, shall, after being duly signed by the Company's representative, be posted by the Company immediately upon receipt thereof, and be maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to its employees are customarily posted. Reasonable steps shall be taken by the Company to insure that said notices are not altered, defaced or covered by any other material; and

(3) Notify the Regional Director for the Thirteenth Region, in writing, within ten (10) days from the date of this Order, what steps have been taken to comply herewith.

2. The Respondent, J. I. Case Company (Bettendorf Works), Bettendorf, Iowa, its officers, agents, successors, and assigns, shall

a. Cease and desist from:

(1) Refusing to bargain collectively with International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO, its agents or representatives, as the exclusive representative of all employees in the appropriate unit with respect to rates of pay, wages, hours of employment, or other conditions of employment, by refusing to furnish to the Union or its agents or representatives information and data concerning job evaluations and time studies; and

(2) In any like or related manner interfering with, restraining, or coercing its employees in the exercise of the rights to self-organization, to form labor organizations, to join or assist International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO, or any other labor organization, to bargain collectively through representatives of their own choosing and to engage in other concerted activities for the purposes of collective bargaining or other mutual aid or protection, or to refrain from any or all of such activities, except to the extent that such right may be affected by an agreement, requiring membership in a labor organization as a condition of employment, as authorized in Section 8(a) (3) of the Act.

b. Take the following affirmative action, which the Board finds will effectuate the policies of the Act.

(1) Upon request, furnish to International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO, its agents and representatives, job evaluations and time studies and other wage data and information used by the Company in classifying or evaluating jobs or fixing rates of employees in the bargaining unit:

(2) Post at its plant in Bettendorf, Iowa, copies of notice attached hereto and marked Appendix B. 12/ Copies of said notice, to be furnished by the Regional Director for the Thirteenth Region, shall, after being duly signed by the Company's representative, be posted by the Company immediately upon receipt thereof, and be maintained by it for sixty (60) consecutive days. Thereafter, in conspicuous places, including all places where notices to its employees are customarily posted. Reasonable steps shall be taken by the Company to insure that said notices are not altered, defaced, or covered by any other material; and

(3) Notify the Regional Director for the Thirteenth Region, in writing, within ten (10) days from the date of this Order, what steps have been taken to comply herewith.

Dated: Washington, D. C.

Boyd Leedom, Chairman
Abe Murdock, Member
Joseph Alton Jenkins, Member
NATIONAL LABOR RELATIONS BOARD

1/ The term "Union" refers to the International Union as the certified representative at the Bettendorf Works, and also to its Local 806 as the certified representative at the Rock Island Plant.

2/ Respondent contends in its brief that the charges upon which the complaint was based were not properly executed in that the declarations to these charges were signed in the firm name of the attorneys representing the charging unions and not by a "person" as specified by Section 102.11 of the Board's Rules and Regulations. The declaration in Case No. 13-CA-2200 was signed, "Katz & Friedman," and the declaration in Case No. 13-CA-2297 was signed "Katz & Friedman by Irving M. Friedman." Section 102.1 of the Board's Rules and Regulations, Series 6, provides that the term "person" shall have the meaning set forth in Section 2 of the Act. "Person" as defined in the Act includes partnerships and legal representatives. It is clear that the declarations satisfy the requirements of Section 102.11. See, moreover, 68 C. J. S. Sec. 147 as to execution of documents in partnership name.

3/ Otis Elevator Company, 102 NLRB 770, enforced as modified, 208 F.2d 176 (C. A. 2): Taylor Forge and Pipe Works, 113 NLRB 693 enforced 234 F. 2d 227 (C. A. 7), cert. denied 352 U. S. 942. However, we do not agree with the Trial Examiner's statement that Respondent was obliged to maintain its job evaluation sheets in duplicate. Respondent could discharge its obligation to furnish the Union with this wage information in any reasonable manner, including permitting the Union to copy or duplicate the job evaluation records.

4/ Hekman Furniture Company, 101 NLRB 631; Leland-Gifford Company, 95 NLRB 1306.

5/ F. W. Woolworth Co. 109 NLRB 196, enforced 352 U. S. 938, reversing 235 F. 2d 319 (C. A. 9).

6/ Taylor Forge and Pipe Works, supra. See also Boston Herald-Traveler Corporation, 223 F. 2d 58, 62-63 (C.A.1). enforcing 110 NLRB 2097. In view of our finding that it would not have been unduly burdensome for Respondent to have complied with the Union's request for all relevant wage data at the Bettendorf Works, we will not include in our order the limitation upon Respondent's obligation to furnish wage data recommended by the Trial Examiner in Part IV of his Intermediate Report entitled, "The Remedy".

8/ Boston Herald-Traveler Corporation, supra.

9/ Taylor Forge and Pipe Works, supra.

10/ We do not agree with The Trial Examiner that an unfair labor practice charge might be considered sham and frivolous, although permitted to be withdrawn without prejudice, because no explanation was offered for withdrawal.

11/ In the event that this Order is enforced by a decree of a United States Court of Appeals, there shall be substituted for the words, "PURSUANT TO A DECISION AND ORDER" in the caption the words "PURSUANT TO A DECREE OF THE UNITED STATES COURT OF APPEALS, ENFORCING AN ORDER."

12/ See Footnote 11, supra.

(End of Official Text) (End of Section (D)

4 4

J-2388
J. I. Case Company

In the
UNITED STATES COURT OF APPEALS
for the Seventh Circuit

No. 12098 September Term 1957 January Session 1958

J. I. Case Company, Petitioner	)	Petition for Review and Request for Enforcement of an Order of the National Labor Relations Board.
v.	)	
National Labor Relations Board, Respondent	)	

March 12, 1958

Before DUFFY, Chief Judge, HASTINGS and PARKINSON, Circuit Judges.

HASTINGS, Circuit Judge. The J. I. Case Company petitions this court pursuant to Section 10(f) of the National Labor Relations Act (the Act), as amended, 29 U.S.C.A. Sect. 160(f), to set aside an order of the National Labor Relations Board, reported in 118 N.L.R.B. 56, requiring that company to cease and desist from refusing to bargain collectively by declining to furnish the certified bargaining representative of its employees[1] at its Bettendorf and Rock Island plants certain information and wage rate data concerning time studies and job evaluation. The Board, in its answer, has requested enforcement of its order pursuant to Section 10 (e) of the Act.

The collective bargaining agreement in effect at all times material to this petition at the Company's Bettendorf plant was executed on January 27, 1956 and was to continue in force for two years. It was reopenable as to wages on January 30, 1957 upon sixty days written notice. Two sets of wage rates were set up under the contract: Schedule A rates were hourly rates and Schedule B rates were applicable to piece rate or incentive workers. It was provided that the company would establish piece prices by time study or other appropriate methods.

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[1] Local 806 of the International Union Automobile & Agricultural Implement Workers of America, AFL-CIO was certified as the exclusive bargaining representative of the employees at the Rock Island plant of the Company in 1946 and has been recognized by the Company as such since that date. At the Company's Bettendorf works, the parent International Union has been, since 1953, the certified bargaining representative of the employees. In this opinion the term "the Union" will be used to refer to whichever bargaining representative is appropriate in the context.

* 13-CA-2200; 2297; 118 NLRB 56

"Classification rates" at ten percent higher than guaranteed minimum piece rates were to be in effect until piece rates were set. Further provision was made for review of a piece price in the event of a significant change in the nature of a job. The contract provided for the usual grievance procedure, specified that "/c/ complaints regarding piecework prices may be handled in accordance with the grievance procedure," and indicated that the agreement should be interpreted as disposing "of any and all issues subject to collective bargaining, except with respect to grievances **."

The Company had furnished the Union a summary of all jobs at the Bettendorf plant including the "vertical turret lathe" job which was indicated to be a single machine operation. After the execution of the bargaining agreement, the Company changed the job to a two machine operation but did not change the rate of pay. The Union made a formal request in writing on March 26, 1956 asking for certain data relevant to the job, including the time studies on the job as a two machine and as a one machine operation and the various criteria the Company used in setting up a job evaluation for the two machine job. The request from the Union suggested "that the information include what weight is given each factor used to arrive at a final decision on the established rate and what factors are considered in making such a decision." The Union stated in this letter that the information was needed before further discussion was possible.

There was no written reply to the Union's formal request, but, at the next regularly scheduled meeting between the Plant Grievance Committee and Company representatives, the superintendent in charge of the department making time studies, made an oral presentation of the time study information on the two machine and one machine jobs, and diagrammed the operation on a blackboard. The Company refused to give the time studies to the Union so that its time study experts could examine them. It also refused to supply the other data requested. The Union indicated its dissatisfaction with the information and some time later submitted a written request, pursuant to terms of the agreement, to negotiate a new rate for the job.

On March 28, 1956, the Union made a further request of the Company for information needed "for purposes of collective bargaining and contract administration ***." This request was for "all data and time study information and material used in setting the incentive rates which are currently in effect for all jobs in the UAW Bargaining Unit at the Bettendorf works ***," and for "all data, studies, and other information which is used to determine the value of each job currently listed in Schedules A and B ***," as well as such data used in determining the respective labor grade for each job. The Company refused to supply this data, stating that since no negotiations were in progress, it was not obligated to do so.

The collective bargaining contract in effect at the Company's Rock Island plant was a two year agreement entered into on January 20, 1955. It was similar to the agreement at the Bettendorf works of the Company. The contract could be reopened after September 1, 1955 by either party, upon thirty days written notice, for negotiations on wage rates. The required written notice had to "set forth

specifically the adjustments desired." The agreement contained provision for the usual grievance procedure and wage provisions, including a method for establishing piecework rates and a complete schedule of rates for the various labor classifications.

Some dissatisfaction arose among the Rock Island plant's tractor assembly employees over the failure of the company to announce piece rates. After these rates for the tractor line had been announced pursuant to a company time study, this dissatisfaction continued, and, on March 15, 1956, at a regular grievance meeting between the company representatives and the Bargaining Committee of the Union, the Union requested that the Company make available the time study data for the tractor line jobs. The Union repeated its request in writing on April 5, stating that it needed the time studies requested to "arrive at an answer as to whether there was a legitimate complaint or not." The Company, without explanation, refused to make these time studies available.

Unfair labor practice charges were filed with the Board by the International Union against the Company. The Trial Examiner found violations of Section 8(a)(5) and (1) of the Act in the Company's refusal of the March 15 and March 26 requests but found no violation in the refusal of the broad request made on March 28 for "all data and time study information" for "all jobs" in the bargaining unit at the Bettendorf works because such request was unduly burdensome and because the information so requested exceeded any need by the Union, existing or prospective. The Board, upon the undisputed facts presented, sustained the holding that the refusals to supply the data requested on March 15 and 26 were in violation of the Company's statutory bargaining obligations but found, in addition, that the refusal of the March 28 request was also a violation of the provisions of the Act.

Although the particular circumstances in each case must be considered in determining whether or not the statutory obligation to bargain in good faith has been met (N.L.R.B. v. Truitt Mfg. Co., 351 U.S. 149, 153 (1956), there are numerous decisions to the effect that a refusal by an employer to supply pertinent and relevant wage data concerning wage rates of the employees is a violation of the obligation to bargain in good faith. N.L.R.B. v. F. W. Woolworth Co., 352 U.S. 938 (1956), reversing 9 Cir., 235 F. 2d 319 (1956); Taylor Forge & Pipe Co. v. N.L.R.B., 7 Cir., 234 F. 2d 227 (1956); cert. den., 352 U.S. 942 (1956); Boston Herald-Traveler Corp. v. N.L.R.B., 1 Cir., 223 F. 2d 58 (1955); N.L.R.B. v. The Item Company, 5 Cir., 220 F. 2d 956 (1955); N.L.R.B. v. Whitin Machine Works, 4 Cir., 217 F. 2d 593 (1954); N.L.R.B. v. Otis Elevator Co., 2 Cir., 208 F. 2d 176 (1953).

The Company contends that, in light of the circumstances in this case, it fulfilled its statutory duty to bargain. It urges that it had no obligation to furnish the desired information because the Union's requests for data were not made in good faith for purposes of collective bargaining; the requested data pertained neither to a pending grievance nor to a request for negotiation under the contract;

the production of the data would have been unwarrantedly burdensome since the Company did offer to supply some of the information orally; and, finally, the requested data had not been relied upon by the Company during negotiations with the Union but was used for internal management purposes only.

If, as the Company contends, the Union's requests, in each instance, were not made in good faith for the purpose of collective bargaining, the refusal to supply the data would not have been a violation of the Act. Boston Herald-Traveler Corp. v. N.L.R.B., 1 Cir., 223 F. 2d 58, 63 (1955); Superior Engraving Co. v. N.L.R.B., 7 Cir., 183 F. 2d 783, 794 (1950). The Board has never disputed this but urges that, on the record in this case, the Union's requests were made in good faith. Cf. Utica Observer Dispatch v. N.L.R.B., 2 Cir., 229 F. 2d 575, 577 (1956). In this connection, the Company failed in its attempt to prove a series of groundless requests for data all purportedly part of a general scheme of harrassment by the Union. There was also little to bolster the Company's claim that the Union indulged in the filing of groundless charges with the Board.

Putting aside the matter of the good faith of the Union in previous dealings with the Company, the question of whether the Union's requests in this case were made in good faith turns, as the Board indicates, on a determination of the relevance of the information to the Union's task as the bargaining representative. The Board urges that, in each instance, the data requested was required by the Union in the administration and policing of the collective bargaining agreements in force at the two plants here involved. The Company takes issue with the Board on this latter point and in so doing raises basic questions as to the nature of collective bargaining. The petitioner contends that the statutory duty to bargain in good faith is pegged to the existence of pending wage negotiations without which there is no obligation to bargain. It urges further that under its contracts with the Union all complaints regarding piecework prices must be handled by grievance procedures and that no grievances were filed in the instant situations.

These contentions stem from a basic disagreement between petitioner and the Board as to the proper conception of the Union's role as representative of the employees and of the very nature of the collective bargaining process. The contention that the Union's right to data is limited to pending wage negotiations overlooks the fact that collective bargaining is a continuing process which, "[a]mong other things, *** involves day to day adjustments in the contract and other working rules, resolution of new problems not covered by existing agreements, and the protection of employee rights already secured by contract." Conley v. Gibson, 355 U.S. 41, 46 (1957). See also Aeronautical Industrial District Lodge 727 v. Campbell, 337 U.S. 521, 525 (1949). A collective bargaining agreement thus provides "the framework within which the process of collective bargaining may be carried on." Timken Roller Bearing Co. v. N.L.R.B., 1 Cir., 161 F. 2d 949, 955 (1947). The union not only has the duty to negotiate collective bargaining agreements but also the statutory obligation to police and administer the existing agreements. The provision in the Bettendorf contract that the agreement "disposes of any and all issues subject to collective bargaining, except with respect to grievances *** " does nothing more than foreclose the Union from bargaining

during the life of the contract about matters not covered therein. This clause does not affect the Union's right and duty to administer the contract.

There is no language in the contracts here involved which, under the circumstances, could be considered a waiver of the Union's right to receive the requested information. Cf. International News Service Division of the Hearst Corp. 113 N.L.R.B. 1067, 1070 where the Board held that there must be a clear and unmistakable showing that such a waiver occurred. Further, the Board has indicated that the statutory obligation to furnish data to the bargaining representative "is not satisfied by a substitution of the grievance procedure of the contract for /the employer's/ obligation to furnish the Union with information it needed to perform its statutory function." Hekman Furniture Co., 101 N.L.R.B. 631, 632, enforced, 6 Cir., 207 F. 2d 561 (1951); Leland-Gifford Co., 95 N.L.R.B. 1306, 1322, enforced, 1 Cir., 200 F. 2d 620, 624 (1952).

The Board seeks support for its position in this case in the recent decision by the Supreme Court reversing the Court of Appeals for the Ninth Circuit in N.L.R.B. v. F. W. Woolworth Co., 9 Cir., 235 F. 2d 319 (1956), and also in the decision of this court in Taylor Forge & Pipe Co. v. N.L.R.B., 7 Cir., 234 F. 2d 227 (1956). In the Woolworth case, shortly after negotiation and execution of a collective bargaining contract, the Union requested certain wage information including the number of hours worked per week by each employee and also each employee's total pay and rate of pay. This request was ignored by the Company. The Board found this to be a violation of Sections 8(a)(1) and (5) of the Act but the Court of Appeals denied the petition for enforcement. The Supreme Court without opinion summarily reversed that court's decision. N.L.R.B. v. Woolworth Co., 352 U.S. 938 (1956).

In many respects there is a close parallel between the Woolworth case and the instant case. The only ground for the request expressly asserted in Woolworth was that the information was needed for "intelligent and equitable administration of the Agreement." N.L.R.B. v. F. W. Woolworth Co., 9 Cir., 235 F. 2d 319, 322 (1956). There was also some reference to complaints by employees giving rise to potential grievances and creating the need for the requested data. Ibid. The position taken by the company in the Woolworth case in refusing the data was in all material aspects identical to that of the petitioner in the instant case. The Court of Appeals for the Ninth Circuit after noting the language of the Supreme Court in N.L.R.B. v. Truitt Mfg. Co., 351 U.S. 149 (1956) to the effect that cases involving requests for data must each turn on their peculiar circumstances, proceeded to reject the Board's findings and conclusions as without any rational basis and ruled that the Union must in such cases show more clearly some proof of relevancy of the information requested to its role as bargaining representative.

Although the Supreme Court, in summarily reversing without opinion the Court of Appeals in the Woolworth case, gave little guide for the determination of related cases, its rejection of the Ninth Circuit's decision clearly indicates that

more weight must be given the Board's findings on the question of the relevance of the information requested to the Union's statutory obligation to police and administer the agreement.

EFU

The Court of Appeals in the Woolworth case did recognize that the Board was not enunciating a "per se" right to information. Clearly, there is no such right of the Union to information. The Board certainly does not so contend, although, as the dissenting opinion of Mr. Justice Frankfurter in N.L.R.B. v. Truitt Mfg. Co., supra, at page 156 indicated, the Board has increasingly tended to approach the "good faith" and disclosure question in an overly mechanical fashion.

The Board likens the circumstances involved in this present case to those in Taylor Forge & Pipe Co. v. N.L.R.B., supra. In that case the Union's request was made during bargaining negotiations and was for data on certain "point ratings" which the Company used in determining each employee's rate of pay. The information was refused. The Board concluded that the requested information was relevant and essential to the parties' bargaining, and the Board's decision was affirmed by this court.

The Company in the instant case attempts to distinguish the Taylor Forge case and several others cited in support of the Board's position on the ground that in each case bargaining negotiations were involved. Because of the continuing nature of the bargaining process this distinction is not controlling. The fact that negotiations are pending may be an important factor in considering the relevance of the requested data to Union bargaining needs, but it is not the sole consideration. The courts have recognized that the information the Unions are entitled to have from management "should not necessarily be limited to that which would be pertinent to a particular existing controversy." N.L.R.B. v. Whitin Machine Works, 4 Cir., 217 F. 2d 593, 594 (1954); cert. den. 349 U.S. 905; specifically approved in N.L.R.B. v. The Item Co., 5 Cir., 220 F. 2d 956, 958 (1955); cert. den. 350 U.S. 905, and in Boston Herald-Traveler Corp. v. N.L.R.B., 1 Cir., 223 F. 2d 58, 62, 63 (1955).

We hold that the Board correctly found that each request by the Union was made in good faith for data directly related to the Union's functions as bargaining representative. The Union was interested in obtaining the time study data on the tractor line jobs at the Rock Island plant to determine whether or not there was any basis for employee complaints as to the piece rate for those jobs and, therefore, whether or not the Union should file or support a grievance with respect to the rates for the jobs. Similarly, the Union had a real interest in any time study or other data the Company relied upon in maintaining the same rate of pay on the turret lathe-vertical job at the Bettendorf plant after changing the job from a one to two machine operation. The Company did not satisfy its obligation by oral presentation of the complicated wage data during the regular meeting with the Plant Grievance Committee.

The much broader request of March 28 was likewise well founded. The time study data, job value information and labor grade data are all important considerations in the Company's wage structure. Taylor Forge & Pipe Co. v. N.L.R.B., supra at 229. In this respect there is no merit in the Company's contention that the data requested was used for internal management purposes only. Also, it is not material whether the Company relied directly on this information in its negotiations with the Union. The Board's order requires only the production of data used in classifying or evaluating jobs or fixing rates of employees. As in the Taylor Forge case only with the requested information available would the Union be able " 'to know whether to press or modify a particular wage demand, whether inequities exist which merit discussion or correction, and whether other elements are present in the wage structure which, though impossible to visualize beforehand, appear to merit discussion once the full picture is available.' " Id. at 230. Finally, as the Board points out, the Union in this case was actually preparing for contract negotiations the following January to which this data would be relevant. The Board thus had sufficient basis for overruling the Trial Examiner's finding that production of the information requested would be unduly burdensome and exceeded any need by the Union, existing or prospective. The facts were undisputed and no special weight attached to the Trial Examiner's conclusions in this respect. F.C.C. v. Allentown Broadcasting Corp., 349 U.S. 358, 364 (1955); N.L.R.B. v. Chauffeurs, Teamsters, Warehousemen & Helpers Local Union No. 135, 7 Cir., 212 F. 2d 216, 217 (1954). As already has been indicated the Union was entitled to this information for bargaining purposes. The fact that this case involved a large company using a complicated wage structure for a large number of employees does not lessen the Union's right to the information. The Union made suggestions for copying the information at its own expense which the Company did not accept. The greatest bulk of the information requested was the time study data. The Company did not even attempt to satisfy the Union request for information as to labor grade and job evaluation data for the some 250 jobs involved, which would not have been overly burdensome. It would seem that, before the hearing, the Company did not actually base its refusal of the Union requests on grounds that they were unduly burdensome. If it had, some arrangement could have possibly been made to lessen such "burden."

The parties have stipulated in this cause that, in the event this court upholds the finding of the Board that petitioners unlawfully withheld data from the bargaining representative of its employees, that the Board's order should nevertheless be amended:

> " *** (1) by substituting as Paragraphs 1 (a) (2) and 2 (a) (2) of the Order the following language in lieu of the language now contained in said paragraphs:
>
> > In any like or related manner interfering with the efforts of the above-named labor organization to bargain collectively on behalf of the employees in the appropriate unit.

and (2) by substituting as the last paragraph of Appendices A and B the following language in lieu of the language now contained in said paragraphs:

> WE WILL NOT in any like or related manner interfere with the efforts of the above-named labor organization to bargain collectively on behalf of the employees in the appropriate unit."

The order of the Board is amended pursuant to this stipulation. The petition to review and set aside the Board's order is denied and the Board's request for enforcement of its order as amended by stipulation is granted.

A true Copy:

Teste:

.....

Clerk of the United States Court of Appeals
for the Seventh Circuit.

For the Board:
On Brief: Frederick U. Reel, Attorney
Argued by: Frederick Reel

LABOR RELATIONS
REPORTER (BNA)
WASHINGTON

ANALYSIS

March 24, 1958
Vol. 41, No. 41
41 Analysis 81-83

EMPLOYER'S DUTY TO SUPPLY UNION WITH TIME-STUDY, JOB EVALUATION DATA

DEVELOPMENT: Looking on collective bargaining as a continuing process extending beyond the execution of a contract, the U. S. Court of Appeals at Chicago holds that a company violated its Taft-Hartley bargaining duty when it refused to supply time-study and job-evaluation data requested by a union bargaining agent during the terms of existing contracts. The information was not related to any pending grievance or negotiations, but the court finds it relevant to the union's functions of administering the contract and preparing for future negotiations.

The contracts involved ran for two years. They gave the company authority to establish piece prices by time study or other appropriate methods. They also provided for review of a piece price in the event of a significant change in the nature of a job. Complaints regarding piecework prices were subject to the grievance procedure.

The union made three requests for information. The first covered time studies for a particular job at one plant. The second covered all data and time-study information used in setting incentive rates for all jobs in the bargaining unit at this plant. The third covered time-study data for the tractor line jobs at a second plant. The company refused all three requests.

REASONS FOR REFUSAL

The company advanced these reasons in justification of its refusal: (1) The requests were not made in good faith for purposes of collective bargaining; (2) the requested data pertained neither to a pending grievance nor to a request for negotiation under the contract; (3) the production of the data would have been unwarrantedly burdensome, since the company had offered to provide some of the information orally; and (4) the data had not been relied upon by the company during negotiations but were used for internal management purposes only.

By these contentions, the court states, the company raises basic questions as to the nature of collective bargaining and the role of the union as a representative of the employees. The idea that the union's right to information is limited to pending wage negotiations, the court adds, overlooks the fact that collective bargaining is a continuing process involving day-to-day adjustments in the contract and other working rules, resolution of new problems not covered by the agreement, and the protection of employee rights already secured by the contract. The union not only has the duty to negotiate contracts but also a statutory obligation to police and administer existing agreements.

RELEVANCY OF DATA

Viewed in this light, the court reasons, all of the union's requests were made in good faith and were for information directly related to its functions as bargaining representative. The data regarding the specific jobs would permit it to determine whether there was any basis for complaints as to the piece rates for those jobs and whether to file or support grievances with respect to them. The data sought under the broader request applicable to all the jobs in the one plant would aid the union in preparing for negotiation of a new contract. There is no merit, the court adds, in the argument that the information was used for internal management purposes only.

Finally, the court rejects the contention that furnishing the information requested would have placed an unwarranted burden on the company. The fact that the case involves a large company using a complicated wage structure for a large number of employees, the court states, does not lessen the union's right to information. The union made suggestions for copying the information at its own expense, and some arrangement possibly could have been made for easing the claimed burden. The decision affirms that by the NLRB in the case in all respects. (J. I. Case Co. v. NLRB, 41 LRRM 2679).

BACKGROUND: How far an employer must go in furnishing wage data to a union in order to satisfy his Taft-Hartley obligation to bargain in good faith has been a hotly and frequently litigated issue.

EXTENT OF EMPLOYER'S DUTY

According to a long line of decisions under both the Wagner and the Taft-Hartley Acts, an employer may be required to furnish a union, on request, with sufficient data on wage rates, job classifications, and allied matters to permit the union (1) to bargain understandingly, (2) to police the administration of the current contract, and (3) to prepare for coming negotiations. See LRX 66 for a discussion of the cases.

Moreover, there have been decisions upholding the right of a union to obtain such data from an employer without showing exactly why it needs the information. In a leading case decided in 1951, the U. S. Court of Appeals at New York held that the union need not make an initial showing of relevance where the information sought relates to current wages. A showing of relevance is required, the court said, only if the data clearly appear to be irrelevant (NLRB v. Yawman & Erbe, 27 LRRM 2524.)

Then in 1956, the Supreme Court reversed a decision which imposed on the union a duty of showing specific relevance. The decision was by the U. S. Court of Appeals at San Francisco. It held that an employer was not obligated to give to a union, bargaining for a wage increase under an existing contract, information on the wages and hours of the covered employees in the absence of a showing by the union of the relevancy of its request or of a reasonable need for the information to meet a condition. The Supreme Court reversed this decision in a brief per curiam order, stating simply that the NLRB "acted within its allowable discretion in finding that under the circumstances of this case failure to furnish the wage information constituted an unfair labor practice." (NLRB v. F. W. Woolworth Co., 38 LRRM 2362, 39 LRRM 2151).

SPECIFIC DATA REQUIRED

The decisions also have indicated that an employer will not meet his obligation merely by furnishing general wage data; the information must be specific. In a case denied review by the Supreme Court in 1956, for example, the U. S. Court of Appeals at Chicago held that an employer violated his bargaining duty when he refused to give the union representing his employees a breakdown of the point ratings used in evaluating all of the jobs in the plant. The union requested the point ratings for use in negotiating a new contract (Taylor Forge & Pipe Works v. NLRB 38 LRRM 2230, 39 LRRM 2168). The U. S. Court of Appeals previously affirmed an NLRB order requiring an employer to provide employees' names and wage rates in such a way that the union could determine exactly which employee received each rate. The Supreme Court also denied review of this holding (NLRB v. Whitin Machine Works, 35 LRRM 2215, 35 LRRM 2730.)

SIGNIFICANCE: In a 1956 opinion dealing with an employer's obligation to furnish a union with information relating to his ability to pay a requested wage increase, the Supreme Court expressed the general principle that whether the obligation to bargain has been met in these cases should be determined in the light of the particular circumstances of each case (NLRB v. Truitt Manufacturing Co., 38 LRRM 2042).

Thus, despite the language of the Yawman & Erbe opinion and the per curiam reversal in the Woolworth case, a union is not likely to be upheld in requests for information bearing no reasonable relationship to the performance of the union's functions. The information sought in these cases dealt with wages--a topic clearly related to the union's functions. But so-called fishing expeditions or broad requests intended principally to harass the employer will not be sustained. Each case will be judged on its own facts. The opinion in the present J. I. Case Company case indicates how broadly the courts may construe the collective bargaining process, the functions of the union bargaining agent, and the duty of the employer to furnish information needed by the union in the performance of those functions. The requested information need not pertain to a particular grievance or to actual negotiation of a new contract. Since the process of collective bargaining continues during the contract term, the requested information may pertain to all matters relating to the administration and policing of the contract, including whether a basis exists for initiating a grievance and whether a particular demand should be readied for future negotiations.

ECONOMIC REVIEW

PUBLISHED BY AFL-CIO

Vol. 3, No. 6-7 June-July, 1958

In Brief

The vast majority of industries seek areas of growing markets, natural resources and available manpower with the necessary skills—not "right-to-work" laws. The kinds of industry that may be attracted by anti-labor laws are fly-by-night sweatshops and some low-wage, lower priced soft-goods plants that are looking for areas with available unskilled workers. "Right-to-work" laws do not and cannot promote a state's prosperous growth.

"Right-to-Work" Promises—False:

ANTI-LABOR LAWS vs. SOUND ECONOMIC GROWTH

Everyone knows that prosperity goes hand in hand with economic growth. Everyone wants prosperity—for his community, his state, and the nation as a whole.

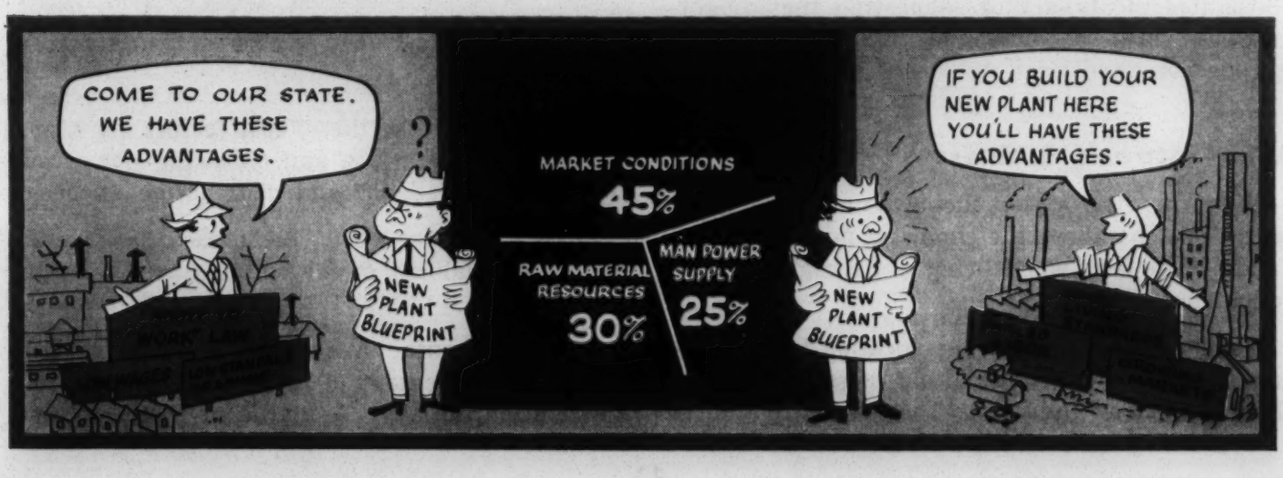
This normal desire for prosperity has been twisted into a weapon by propagandists for anti-union legislation in the states. Since 1944, eighteen states have adopted laws forbidding labor and management to make union security agreements. Under these misnamed "right-to-work" laws, the union shop, maintenance of membership and other union security provisions are illegal.

Along with other confusing and misleading claims, propagandists for "right-to-work" laws have sought to prove that compulsory open-shop legislation will lead to more prosperous conditions in any state. Such laws, they say, attract new industry and stimulate economic growth.

Common sense economics, however, proves the opposite. Community prosperity, as everyone knows, depends on customers, with money to buy products of flourishing business. Attracting new industry depends on available manpower, on labor skills, on resources—both natural and man-made—on transportation, and on the general living and education standards of people in the area.

Low-wage, anti-union laws cannot create any of these attractions. Instead, such legislation can actually hamper improvements in wages, hours and working conditions by weakening union organization and collective bargaining.

"Right-to-work" laws, it is true, may attract some anti-union low-wage companies in soft-goods industries, such as textile and shoe manufacturing. Such companies look for areas with large numbers of unskilled workers who will work for low wages without union conditions.



PAGINATION INCORRECT

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NATIONAL LABOR RELATIONS BOARD

Washington, D. C.

FOR IMMEDIATE RELEASE
THURSDAY, OCTOBER 2, 1958

(R-576)

N.L.R.B. ANNOUNCES CHANGES IN EXERCISE OF JURISDICTION

The National Labor Relations Board today announced changes in its standards for determining in which cases the Board will exercise its jurisdiction. The current standards were adopted in July 1954.

The new standards take immediate effect, applying both to all cases now pending before the Agency and to all cases which may be filed.

The various elements of the new standards will be set forth in decisions rendered by the Board following October 2, 1958.

The Board's action was taken pursuant to its statement of July 22, 1958, wherein the Board : (1) announced certain proposed changes in its standards; and (2) invited briefs or comments by any interested groups, organizations and persons. At that time the Board said:

"We are taking this action as a consequence of the situation to which the Supreme Court referred in the case of Guss v. Utah Labor Relations Board. Therein the Supreme Court adverted to 'a vast no-man's land, subject to regulation by no agency or court,' and declared; (1) 'Congress is free to change the situation;' and (2) 'The National Labor Relations Board can greatly reduce the area of no-man's land by reasserting its jurisdiction.'

"On Friday (July 18), the Congress voted approval of the Board's appropriation for the fiscal year 1958-1959. The total was $13,100,000, of which $1,500,000 took into allowance the extension of the Board's jurisdiction into some of the area covered by the so-called no-man's land.

"Today, we are announcing this action, so that more individuals, labor organizations and employers may invoke the rights and protections afforded by the statute."

Following are the new standards which revise somewhat the proposals set forth in the July announcement; under each statement appears, in parenthesis, the 1954 standards:

1. Non-Retail: $50,000 outflow or inflow, direct or indirect.[1/]

   (1954 - $50,000 outflow, $500,000 inflow, $100,000 indirect outflow, 1 million indirect inflow.)

2. Office Buildings: Gross revenue of $100,000 of which $25,000 or more is derived from organizations which meet any of the new standards.

   (1954 - Employer who leases or owns and who operates must be otherwise in commerce and utilize building primarily to house its own offices.)

3. Retail concerns: $500,000 gross volume of business.

   (1954 - Direct inflow of $1,000,000, or indirect inflow of $2,000,000 or direct outflow of $100,000.)

4. Instrumentalities links and channels of Interstate Commerce: $50,000 from interstate (or linkage) part of enterprise, or from services performed for employers in commerce.

   (1954 - $100,000.)

5. Public Utilities: $250,000 gross volume, or meet standard 1 (non-retail.)

   (1954 - $3,000,000 gross volume.)

1/ Direct outflow refers to goods shipped or services furnished by the employer outside the State. Indirect outflow includes sales within the State to users meeting any standard except solely an indirect inflow or indirect outflow standard. Direct inflow refers to goods or services furnished directly to the employer from outside the State in which the employer is located. Indirect inflow refers to the purchase of goods or services which originated outside the employer's State but which he purchased from a seller within the State. Direct and indirect outflow may be combined and direct and indirect inflow may also be combined to meet the $50,000 requirement. However, outflow and inflow may not be combined.

6. Transit systems:[2/] $250,000 gross volume.

(1954 - $3,000,000 gross volume.)

7. Newspapers and Communication Systems

Radio, television, telegraph and telephone: $100,000 gross volume.

Newspapers: $200,000 gross volume.

(1954 - $500,000 test for newspapers, $200,000 for the others.)

8. National Defense: Substantial impact on national defense.

(1954 - $100,000 in goods or services directly related to national defense, and pursuant to government contract.)

9. Business in the Territories and District of Columbia:

D. C. ——————————Plenary

Territories ——————————Standards apply.

(Same as 1954.)

10. Associations: Regarded as single employer.

(Same as 1954.)

2/ Except taxicabs, as to which the retail ($500,000 gross volume of business) test shall apply.

SCHOOL FOR WORKERS
UNIVERSITY OF WISCONSIN
EXTENSION DIVISION

Allied Industrial Workers, afl-cio

LABOR LAW INSTITUTE

JUNE 1 - 5, 1959
MADISON

LABOR LAW INSTITUTE

Sponsored by the Allied Industrial Workers, AFL-CIO
and
The School for Workers, Extension Division, University of Wisconsin

June 1 - 5, 1959
Wisconsin Center, Lake and Langdon Streets, Madison

PROGRAM

Morning Sessions (Mon., Tues., Wed., Thurs.)

8:30 - 10:00 A.M.	Group A - The Law of Organizing - Room 227 Warren Woods, Instructor Group B - The Law of Collective Bargaining - Room 211 Stephen Vladeck, Instructor
10:00 - 10:30 A.M.	Coffee Break
10:30 - 12:00 NOON	Group A - The Law of Collective Bargaining - Room 227 Stephen Vladeck, Instructor Group B - The Law of Organizing - Room 211 Warren Woods, Instructor

Afternoon Sessions (Tues., Wed., Thurs.)

1:15 - 2:45 P.M.	Group A - Handling NLRB cases - Room 227 Louis Silverberg, Instructor Group B - Economic and Legislative Issues - Room 211 Robert Ozanne Jack Barbash - Instructors
2:45 - 3:15 P.M.	Coffee Break
3:15 - 4:45 P.M.	Group A - Economic and Legislative Issues - Room 227 Robert Ozanne Jack Barbash - Instructors Group B - Handling NLRB cases - Room 211 Louis Silverberg, Instructor

Evenings

Mon.	6:30 P.M.	Dinner - Dining Room, Wisconsin Center - Orientation
Tues.		Free evening
	7:00 P.M.	Voluntary legal "bull session", Room 205, Wisconsin Center

Evenings (continued)

Wed.	7:00 P.M.	Pending Labor Legislation, Room 227, Wisconsin Center International Attorneys: Goldberg, Previant, Cooper
Thurs.	6:30 P.M.	Dinner - Troias, 661 State Street Speaker: Carl Griepentrog, President, International Union Allied Industrial Workers of America

Closing Session (Friday)

11:45 A.M.	Lunch and closing session - Wisconsin Center Dining Room
1:15 P.M.	Adjournment

FACULTY

Jack Barbash - Professor of Labor Education,
School for Workers

Robert Ozanne - Director, School for Workers

Louis Silverberg - Director of Information
National Labor Relations Board

Stephen Vladeck - Labor Attorney, New York City

Warren Woods - Labor Attorney, Washington, D. C.

Situation involving "no-solicitation" rule

Sec. 8(a) (1) of the T-H law says that it shall be an unfair labor practice for an employer to interfere with, restrain or coerce workers in their right to organize. Specific cases have spelled out what this means in practice.

A common problem for organizers is how to get access to workers and put their message across. The situation described here raises a question of whether the employer is violating Sec. 8(a) (1). To get the basis for an answer, you must:

1 Use the index of the Casebook and write down the case references you think may apply.

2 Set down your answer, with any qualifications you think are necessary. Narrow down the cases to the ones you think are closest to the problem here.

The situation

An organizing campaign has been in progress at the Browntone Company. The organizers had signed up almost half of the employees before the company began taking notice. Then one or two foremen expressed doubts about the value of unions.

When one of the machine operators was found giving out union leaflets to other workers in the shower room, his foreman told him to stop. The foreman cited the company rule against any distribution of literature or solicitation on company property. The rule had been in effect for a long time, but it had never been invoked.

The company itself frequently posts notices, advertisements for local charities and other items of the same nature on its bulletin boards and leaves them at the time clocks. After warning the operator not to give out any leaflets, the company proceeded to distribute at the time clocks a letter to its employees describing the history of good relations between the company and its employees and expressing the hope that these good relations would continue.

Questions

Is the company in violation of Sec. 8(a) (1)?

Cite cases that may apply, and after reading the cases, circle the ones you think are most pertinent to this problem.

Are the rules different for employees than for non-employees?

PAGINATION INCORRECT

The T-H Law weakened the Wagner Act prohibition against employer interference with the so-called "employer free speech" provision in Sec. 8(c). It says that employer statements, oral or written, are no interference if they contain "no threat of reprisal or force" or no "promise of benefit." Again, actual cases must be examined to get specific meaning for these words.

Below are given some employer actions. Using the index, look up cases on each one and give the best answer you can consistent with these interpretations.

What employer does	Is he violating law? Cite case or cases
1 Employer sent letter to all employees saying he believed determination of unit by the Board was illegal and anyway, if the union won, he would refuse to bargain with it and would take the case to the courts.	
2 Employer sent series of anti-union letters to employees and then issued a statement with the following assertion: "... in keeping with the company's progressive policy, since January, 1933, management has been working on a formula to make possible the payment of average earnings, rather than base rates for vacations and holidays."	
3 Employer wrote in letter to employees that he had right to discontinue existing benefits and would insist upon starting negotiations from scratch if the union won an election.	
4 Tell employees that the company prefers the contractual union to the rival union and that the company could not pay the higher wages required by the rival union.	

Employer's right of free expression
Work Sheet

The question here is whether the employer has violated the prohibition against employer interference in Sec. 8(a) (1) or whether he is protected by the provisions of the "free speech" Sec. 8(c). Read the statements on data sheets 102 a, b, c, and d, underlining the parts you think are important. Then look up the cases, using the index, and work your way to an answer.

	Casebook References	Violation? Yes	No
1 Testimony of Stella Stumpf (page 102a)	_____	___	___
2 Testimony of Miller and Wyatt (page 102b)	_____	___	___
3 Text of letter distributed by X Co. (page 102c)	_____	___	___
4 Text of speech by store manager (page 102d)	_____	___	___

Testimony of Stella Stumpf

Q. Did a man whom I believe is usually referred to as Pa and Joe, did they ever come to you and talk to you about union activity?
A. They told me that I was the head of the union, and I told them no. The leader of the union and I said no.

Q. Did they say anything . . . about whether the union would get into the plant?
A. That it wouldn't.

Q. Did you remember if either of them gestured in any way? Did they move their hand or face in any particular way when they were talking to you?
A. Well, he shook a finger in my face.

Q. What was he saying when he shook a finger in your face?
A. Well, that I was the leader of the Union, and I sure started things, which I didn't.

Q. Did anyone else come to you immediately after that and talk to you?
A. Ed Hollfelder . . . he told me that if it wasn't for him I would have gotten fired a long time ago.

Q. Did he say why you would have been fired?
A. Because I was for the union.

Q. Did he also accuse you of being one of the leaders?
A. Yes, he did.

Q. . . . . did either of them tell you you would get into trouble if the union got in?
A. Well, they said I would lose my job. I would be fired.

Testimony of Draftsman Joseph C. Miller

Q. . . . will you tell us . . . what was said by Mr. Meyer to you when you got to his office on or about March 15, 1954 . . . ?

A. Well, the first thing he brought up was the disagreement we had about the time clock . . . He spoke also briefly about sick leave in general and overtime rates and also about our merit wage increases which I was told would be discontinued if the union was voted into X Company.

Q. Do you recall anything else he said about sick leave?

A. It is a gift that we give to you. Not every place has it. It can be taken away if need be.

Q. Now tell us about the conversation on merit wage increase items?

A. Well, point blank, the first statement he made to me was that if the union was voted in at X Company, merit wage increases would be discontinued. Very point blank he made that statement . . . he explained to me that it was also a gift which could be discontinued.

Testimony of Miller regarding interview by Personnel Manager

A. He just said that the one raise that I had gotten, the men in the shop would have to get two or three wage increases to equal that . . . He just mentioned nonchalantly that they were organized.

Q. Was anything said about the election the following day?

A. He just said that a vote of no would mean that the Company had confidence in you and if you voted yes, that means that you had no confidence in them.

Testimony of George Wyatt

Q. What did he say about the merit increases with respect to the Union?

A. He said that would be out of their hands then. Any raise we got, that he couldn't give us any merit raise any more outside of the general wage negotiations by the union . . . the substance of it was that if we were depending on the union for our regulation pay, that they couldn't give any more merit raises.

A. . . . If we were working under a contract which was agreed to, a negotiated contract, they couldn't give us any more merit increases . . . That is in substance what he said.

Data sheet - text of letter distributed by X - Company

"The law of the land does not require the X Company after an election to negotiate its present benefits into the contract that the union presents. In the case of the National Labor Relations Board vs Nash Finch . . . The Court of Appeals of the United States held that it was not unfair for the employer to tell the employees in advance of an election such benefits voluntarily given in the past would be discontinued. We deem it only fair to tell you that we have this right and that we do not propose to do anything but start from scratch if the Union becomes your bargaining agent, but we will negotiate collectively as required by the law but will not feel bound to voluntarily offer in any contract which the Union may negotiate any benefits which may have heretofore been given."

Employer preference expressed during
raid on independent union

The situation

The ABC Union is raiding an independent union. A year ago, ABC filed a petition for the same plant, but at that time the Labor Board dismissed the petition on the ground that the plant had not yet reached its full complement of personnel and accordingly an election would be premature. About one year elapsed, employment increased and became relatively stable and the company recognized an independent union that formed in the plant. The company had a card check made, using an impartial arbitrator. The ABC Union was not around at the time, but now a year later ABC is back and it has filed a petition which is timely.

The election campaign is in full swing. Just recently, the company permitted the incumbent union to hold meetings in the plant and urged its employees to attend. The company also stated in a leaflet that it had developed "harmonious relations" with the independent and preferred to bargain with it. The company stated in a letter to employees that it could sell more products and "would not price itself out of the market by excessive wage costs" which would follow if the petitioning union was voted in.

QUESTIONS:

1 Are any of the following actions, in themselves illegal? Cite cases.

a) The voluntary recognition of the independent union.

b) The meetings on plant premises, with the employer urging attendance.

c) The employer statements in the letter, favoring the incumbent.

2 Assume the independent wins the election. If you wanted to make a case before the NLRB to set aside the election, what points would you make in your argument? Cite cases if you can find any.

Local 14 of the Amalgamated Confectionery Workers (ACW) has been trying unsuccessfully to organize the Sweet Supply House in East Eden, New York. Sweet makes syrups and a lemonade concentrate mix, Sweet-O, which he delivers in his own trucks to groceries in the area. Most of the stores are organized by the retail clerks and the butcher workmen. Sweet also supplies syrups to soft-drink bottlers, some of whom are organized by ACW.

Since everything else has failed, Local 14 decides to try something new. It passes a by-law prohibiting any member from handling or working on non-union goods. The penalty for refusal to live up to the by-law is suspension. An international representative is sent in to get some action on the Sweet campaign.

After reading page 105a, look up the cases in the casebook. Then answer the questions below. Use both the cases and the law to support your answers. Be ready to explain in each case whether or not the union action is legal and why.

Union action	clearly legal	clearly illegal	hazardous	references
1 Visit the employers and tell them to quit using Sweet's stuff.	___	___	___	_____
2 Put Sweet on the unfair list and circulate it generally.	___	___	___	_____
3 Put pickets carrying an "unfair" sign out in front of the soft-drink bottling plants.	___	___	___	_____
4 No pickets, but tell these workers Sweet's stuff is "unfair".	___	___	___	_____
5 Suspend some members who refuse to live up to the by-law.	___	___	___	_____
6 Tell the girl in the union office not to refer anybody to a place using Sweet's stuff.	___	___	___	_____
7 Picket the customer entrances to the retail stores, with signs reading: "To the consumer: Sweet's Syrup and Sweet-O are Non-union."	___	___	___	_____
8 Picket delivery entrances with the same signs.	___	___	___	_____

D-B MIMEO

46:651 - fraction
110:253, 403 } that to withdraw benefits
46:501
85:672, 676 - false or misleading statements
(No) - separately if no time to answer

Organizer is put on the spot
- union propaganda during election

The plant committee has been picking up rumors in the shop, apparently circulated by the company, to the effect that all existing benefits will be washed out if United Plastics Workers win the election. The incumbent union, Independent Plastics Workers of North America, is also claiming the same thing. Another rumor is to the effect that the wage comparisons put out in a leaflet by the United Plastics Workers are wrong. The Company has put up on the bulletin board what purports to be a photostatic copy of the actual wage schedule in the plant of the competitor in the plastics field (organized by UPW). These rates are substantially lower than those set forth in the UPW leaflet.

The committee makes two specific requests: (1) That UPW put out another leaflet branding the company figures as false and repeating the wage comparisons already published; (2) That UPW get a guarantee <u>in writing</u> from its legal department stating that no benefits can be lost if the members vote for UPW.

The Committee emphasizes that unless these two things are done, the election which is only one week off cannot be won.

The organizer has already checked the wage figures and finds that there is a complication he did not realize. The wage rates at the other plant are complicated by the presence of rate ranges, which apply in some departments of the plant. Furthermore, there are incentive earnings in some departments of the plant. The leaflet put out earlier had used the high end of the progression system. It had not said anything about incentive earnings, which vary from as little as two percent above the base rate to 15 percent. Earnings depend on standards set by the company.

4/5/57 Another Case

Union had special knowledge of facts & others do not have info to evaluate

QUESTIONS:

1 Can the organizer put out a leaflet branding the company wage figures as false and repeating the wage comparisons published earlier? Cite cases.

No: if not false - & don't repeat his wage comparisons if in last 24 hrs. no chance to answer - Normal Ballots Case

2 Is it possible to <u>guarantee</u> that no benefits will be lost if the employees vote out the incumbent union? Make point "threat to withdraw" is illegal & unions history is to matching & improve - but can't guarantee

No

3 Can the employer say that benefits will be lost?

4 If you were the organizer, how would you handle the situation?

(If time permits, have an act between the committee chairman, making the requests described above, and the international representative in charge of the organizing campaign. Discuss the questions afterwards, in the light of the way the organizer responded.)

Summary - Union Unfair Labor Practices

Previous exercises have dealt with prohibited secondary boycott activity and with possible union interference with free elections. The following brief situations describe some types of union activity which might or might not be unfair labor practices. Answer each on the basis of the law and cases, if available.

	Violation? Yes	No	Probably	Reference
1 Union runs a hiring-hall and sends only union men out on jobs.				
2 Union pickets an employer who has just signed an agreement with an NLRB-certified union.				
3 Union calls strike for recognition and prevents non-striking employees from going to work.				
4 Company subcontracts indefinitely a cleaning job. The union strikes, claiming this work belongs to its members.				
5 Employer A refuses to recognize the union. They picket employer B, who uses A's products.				

Exclusions from law

The exclusions from the definition of "employee" in the T-H Law are listed in Section 2(3). Turn to that section of the law and write below in your own words the six groups excluded.

Sec. 2(3):

1) Agri. Labor

domestic service

employed by parent or spouse

independent contractor

supervisor

subject Rly Lab Act

As we have seen, the law excludes supervisors from its definition of "employee" and therefore from its protection. It also spells out what it means by a supervisor, in Section 2(11). Write out the section below in your own words.

A disputed "supervisory" job is described below. Using cases, list underneath the points that argue for supervisory status and those that argue against.

Jim Smith is called a lead man. He punches in with the other millwrights and uses the same locker facilities, but he is paid on a salary basis with no overtime pay unless his hours exceed a number set by the company. He is responsible to the millwright foreman, who in turn is responsible to the master mechanic. He has six to eight millwrights working under him, not always the same group. He goes to meetings, of supervisors, the last of which was a lecture called "Vitalizing the Foreman's Role in Management." He generally works with his own tools, although he takes maybe 25% of his time to get jobs set up and assign and direct his crew. He is paid more than an "A" Millwright on the basis of a 40-hour week, but some of his crew take home more than he does, counting overtime, call-in pay, etc., which he usually does not get.

Points for supervisory status	Points against
1	1
2	2
3	3
4	4
5	5
6	6

The idea of the bargaining unit is as old as bargaining itself, but it has come to have special meaning since the Wagner Act. The law itself says very little about the matter. Give below in your own words what the law says in the sections indicated.

1 Section 9(b) - up to the first "provided".

2 Section 9(b) (2).

3 Section 9(c) (5).

Single versus milti-plant units

Read the data sheet for the ABC Electronics Manufacturing Company and then list below, in separate columns, the facts in the case which tend in favor of a single unit finding and the factors or facts which tend toward a multi-plant unit finding by the Labor Board. Be ready to cite decisions in support of your answers.

In favor of single-plant unit	In favor of multi-plant unit

DATA SHEET - ABC Electronics Manufacturing Company
for use with work sheet 2 03

The ABC Electronics Manufacturing Company has operated two plants in Arson, Wyoming for about five years. Neither plant was organized until three years ago. Then the Company voluntarily recognized the Amalgamated Association of Electronics Specialists for all production and maintenance workers in its Plant A at Arson. This plant has 600 employees and is located two and a half blocks away from Plant B, which has 800 employees at the present time. Employment in Plant B has fluctuated more than employment at Plant A for reasons related entirely to the product and market conditions.

Last year the Company negotiated a new agreement with the AAE, with an anniversary of June 1, 1959. On May 1 of this year the Greater Electronics Workers filed a petition with the Labor Board for Plant B. On April 28 the Company and the AAE had negotiated a supplement to their agreement, extending all provisions in the agreement to the Plant B employees.

At the hearing held by the Labor Board the Company took the position that the existing agreement was a bar to any proceeding. Then the Company developed arguments indicating that the two plants were integrated and must be found a single unit for purposes of collective bargaining.

The record shows:

1 Hiring is done through a central personnel office for the two plants. Employees assigned to Plant A tend to remain there, moving up the lines as they are promoted.

2 In 1956, there were large transfers from the A plant to the B plant, when the Company set up a new Department in the B plant, to which many of its semi-skilled and skilled people in Plant A were promoted. This had never happened before, and it has not happened since.

3 The agreement with the AAE for Plant A provided for departmental seniority in promotions and for company seniority in layoffs. Plant B has not been affected in practice by layoffs at Plant A and vice versa.

4 All personnel records for the two plants are kept in the central personnel office, but they are maintained by department within each of the plants.

5 There are separate time clocks and other personnel facilities in each of the plants.

6 The operations of the two plants are similar, although there is some degree of specialization between the plants. Plant A, which was built during the second World War, made electronic tubes exclusively until a year ago. Plant B has a more diversified line.

Professional, technical, and clerical employees

The law sets forth some special rules for the treatment of professional employees and defines what it means by "professional". In addition, the Board adopted rules for the treatment of technical and clerical employees. Write in your own words what the law says in the sections indicated.

Sec. 9(b)(1)

Sec. 2(12)

Analyze the Combustion Engineering Case (2.30) and show below how the Board ruled on each group of employees and what its reasons were:

Classification	How Board Ruled	Reasons
Draftsmen "A"		
Draftsmen "A" Checkers		
Engineering Draftsmen designer and checker		
Estimator Grade II		
Laboratory technicians		
Inspectors		
Welding technicians		

Board rules on craft severance

One of the most important labor board decisions spelling out its rules on craft severance is the American Potash decision of 1954. Read it in the case book and then write below in your own words what the Board said about each of the subjects listed.

1 True craft.

2 Traditional union.

3 Departmental units.

4 Industry exclusions from craft units.

Listed below are various bargaining unit issues that might arise before the National Labor Relations Board. For each one indicate what the Board would be likely to do and be ready to cite cases in support of your answer. If your answer depends on a contingency which is not clearly defined in the statement, indicate what the contingency is and your alternative answers.

1 Unit requested is: Maintenance Department, including different occupational groups such as machinists, millwrights, pipefitters, painters and various others in a large industrial plant which has never been organized. The occupations noted above are all in the company's Engineering Department under a Maintenance Superitendent, with various foremen for the separate occupations. The petition is filed by a Metal Trades Council.

1a Would it make any difference if another organization had filed the petition, for example, a union normally devoted to production workers in the industry? Would it make any difference if the plant had been organized earlier?

2 Unit requested is: Office, professional and technical employees in large industrial plant already organized by an industrial union. Petition filed by Independent Union of Professional and Related Employees.

3 Unit requested is: Instrument mechanics who work on pressure gauges and hydraulic devices. The plant has been organized on an industrial basis for three years. Petition filed by International Brotherhood of Electrical Workers.

Continue with the questions below, following instructions on page 2 10.

4 Unit requested is: Truck drivers who spend about 50 percent of their time loading and unloading at the company loading docks. The drivers spend some time each day inside the warehouse which is attached to the production departments, as part of their loading duties. The company has been organized by another union, for all production and maintenance workers, for two years. The petition is the Teamsters Union.

5 Unit requested is: Machinists and helpers and auto mechanics in a large industrial establishment. Petition filed by International Association of Machinists.

6 DECERTIFICATION proceeding - unit involved is: Shipping clerks and warehouse employees associated with other production and maintenance workers in large industrial plant.

7 Unit requested is: Custodial watchmen who spend a major part of their time doing janitorial work; they are not responsible for trespassers, are not armed. Petition filed by industrial union which bargains for other employees in the plant.

Continue, as on page 2111.

8 DISPUTED CLASSIFICATIONS: Warehousemen, scale house clerk and store room clerks in a plant making crushed limestone, when the issue is the inclusion or exclusion of these employees from a production and maintenance unit.

8a. If the issue were severance of these employees from the larger unit, on petition of the Teamsters' Union, what would the Labor Board decision probably be?

9 Unit requested is: Welders at a fabricating plant, which has been organized for several years. Petition filed by International Brotherhood of Boilermakers.

10 Unit requested is: Oilers in a new industrial plant, unorganized. Petition filed by Firemen and Oilers.

11 Unit requested is: Patternmakers in a metal-working plant which has been organized for many years. Petition filed by Patternmakers League.

12 Unit requested is: Powerhouse employees in a plant that has been organized for 30 years. Petition filed by Firemen and Oilers.

Continue, as on page 2 12.

13 Unit requested is: Circulation department employees of a newspaper, including clerical employees. Also employees who distribute papers to and collect from "honor boxes".

14 Unit requested is: Insurance agents whom company calls independent contractors. They set their own hours and have no fixed territory. They hire and pay their own clerical help at times. The company can inspect their books and investigate complaints. They are paid by a commission schedule with bonuses, with no minimum guarantee or drawing account.

15 Unit requested is: A group of previously unrepresented laboratory employees in a paper mill. The production and maintenance union wishes to add them to the large unit.

15a. What would the Board do if a union of technical employees sought to represent these employees in competition with the production and maintenance union?

16 Unit requested is: Production and maintenance workers of an aircraft instrument plant, including a separate planning department which keeps data on parts and materials used, advises purchasing department on procurement, and coordinates production.

Summary of Unit Rules

	Can they be certified in major unit	Separate ballot?		Can they be added later?	Withdraw once included?	Any protection under act?
		By law	By Board rule			
Production						
Maintenance department						
Craft						
Supervisors						
Guards						
Plant Clerical						
Office Clerical						
Professional						
Technical						
Fringe Employees						

D R MIMEO

Labor Board cases and intra-union dispute machinery

Union A had an agreement at a large plant with its anniversay on July 1, 1956. Sometime in May rumors began to circulate that Union B was planning to file a petition for one department in the plant. One June 1, while negotiations were in progress, Union B filed its petition. Union A immediately protested to the headquarters of the AFL-CIO that this petition was a violation of the No-Raid Pact. Union A also communicated this fact to the Board Regional Office.

Meanwhile meetings were held at the AFL-CIO, with representatives of both unions present. A settlement was reached, and Union B agreed to withdraw. However, when this decision was communicated to the local union of Union B, which had initiated the raid, the local refused to withdraw.

The headquarters of Union B wired the Regional Director to dismiss the proceedings on the ground that the issue was being handled under the disputes machinery of the unions.

What action will the Regional Director take? Cite cases.

Employer refusal to meet with union representative

After reading Data Sheet 3 01 a, answer the following questions, using your CASE BOOK.

1 Do you think the employer was within his legal right in refusing to deal with Joe Clark in this situation? Why, or why not?

2 Make a record from the Index of your CASE BOOK of the references you think have a bearing on this problem:

3 After reading in the CASE BOOK, do you still hold to the same answer you set down in (1) above? Explain.

4 From the cases list specific conditions or circumstances in which an employer might refuse to deal with a particular representative.

D B
MIMEO

PAGINATION INCORRECT

DATA SHEET - Employer refusal to meet with union representative
for use with work sheet

The I. Stone Company has recently been organized by the ATT Union -- the contract was signed last month. The organizing drive had gone on for 3 years. Although free from violence, it was full of bitterness on both sides.

During the past month twenty grievances had been filed. One has now reached the third stage -- Tony Methenson, the Industrial Relations Manager. The contract states that a man must be given two disciplinary warnings before he is fired. Jack B., who has been with the company for eleven years, had received one official warning for beingdrunk on the job, then appeared the next day obviously under the influence of liquor and passing a flask. The foreman fired him. The Union contends that this firing is in violation of the contract and demands his job back. The Company argues that he had been drunk for a week and that he had had verbal warnings, though unrecorded.

The Chairman of the Grievance Committee and the International Representative have gone into the office of the Industrial Relations Manager to take up the case. The Grievance Committee Chairman has explained his case and said, "I'm sure we both want to stick to our contract."

The Manager listens impatiently, interrupting when possible to state the Company position on drinking, its effect on safety and morale and then states that he refuses to discuss this case as the International Representative is not a legal representative of the Union. "By what right are you here?"

After discussion, during which the Grievance Chairman lets the International Representative carry the ball on explanations, the Manager pulls out the contract and reads:

> "Grievances shall be handled by union designated grievance men who shall represent aggrieved employees."

The Manager announces triumphantly, "You have not been designated by the employees. You aren't even an employee of mine. I don't have to deal with you."

Disputes and unfair labor practices

Ever since 1937 when the National Labor Relations Act was declared constitutional, discussions of "unfair labor practices" have occurred among union members. Much confusion surrounds this subject. Not everything that is "unfair" or "discriminatory" is an unfair labor practice in the limited meaning of the law. The following cases and questions are designed to distinguish between unfair labor practices under the law and company practices which must be dealt with by the union in other ways. Use the CASE BOOK for reference purposes.

References

1 If the Renault Motor Company refuses to discuss incentive standards and incentive earnings with its employees, is the Company guilty of unfair labor practice? What provision of the law is being violated?

2 John Doe was seen at a local store one evening during his work shift, by his foreman. On his return to the plant, he was fired. He had been reprimanded previously for "sloppy work and for using the women's room for shaving." John went to his steward and explained that he had forgotten his lunch and had gone to buy one. He said he felt he had the right to leave the mill for a few minutes since others did it all the time. The steward agreed and said the company was guilty of unfair labor practice. Do you agree? What would you do to get redress on this case?

Continue with the questions below, as on the previous page.

References

3 Specify the unfair labor practices that are prohibited to employers under the National Labor Relations Act. Use the copy of the law and list each one separately below.

D-B
MIMEO

4 The Fox River Textile Company is having extensive repair work done on its mill. It decided to employ an outside contractor to do the work, but when the building trades men came onto the job, the millwrights and other mechanics in the plant were angry. They saw the outside men doing many kinds of jobs that they themselves had been doing over the years, sometimes at overtime rates. The maintenance men think that the company is guilty of unfair labor practice. Are they right?

Continue with the questions below, as on the previous page.

References

5 The Roundabout Chemical Company has several plants in different parts of the country. Each plant is under a separate agreement, with a different anniversary date. Each time the union negotiates with the Company for one of the plants the union has a hard time. The Company usually wants to give less than the pattern in the area, although the Company is a very profitable one, with good equipment, good sales and generally good prospects. But when the local union attempts to put pressure on the Company, just to get standard conditions, the plant manager laughs and says "Go ahead, shut her down." A few times the union has taken strike action, but more than once the union has been forced to let the men return to work, without the standard conditions. The Company transfers work from one plant to another and satisfies its customers that way. The union decides that it will try to get all the plants under one agreement, but the Company refuses. QUESTIONS: Is the Company guilty of an unfair labor practice? What can the union do to accomplish its objective?

6 The Praline Mill management decided it wanted to change from a 40-hour week to a 48-hour week. The manager discussed the problem with the union, but they couldn't come to an agreement about the new schedule. The manager wanted all employees to go on the new six-day schedule. Finally, the company told the union it would put its own schedule into effect if they couldn't reach agreement. The contract says that eight hours shall constitute a normal work day and that 40 hours shall constitute a normal work week. The union charged the company with unfair labor practice. Is the union right?

Continue with the questions below, as on the previous page.

References

7 The Klamath Falls Newsprint Company has had a pension plan in effect for many years. It was put into operation by the Company, without union participation. In recent years the Company's employees have learned about the provisions of other pension plans and feel that they are not getting a fair break on theirs. In their negotiations they raise some questions about the plan with the Company, but the Company negotiators express regret, but say that they are not empowered to discuss this subject since there is a Board of Trustees which has all the authority on this matter. The Board of Trustees is made up of Company executives. The negotiators stubbornly refuse to do anything. They listen to the complaints about the pension plan and offer to transmit these to the Board of Trustees, but that is as far as they say they can go. QUESTION: Is the Company guilty of unfair labor practice?

D-B MIMEO

8 An employer refused to negotiate a clause for paying his employees while they handle grievances, as representatives of the union. He argued that the Labor Management Relations Act prohibits such payments. Is he right? Could he be charged with unfair labor practice for refusing to put such a clause in the agreement?

The union and company are negotiating a new agreement. They have settled everything except wages, after some bitter arguments. The union is asking 10 cents across the board, the prevailing settlement in the industry. The company says it cannot grant this and still meet its tough competition.

Several times the company representative, who is Vice President of Personnel, and the local chairman have tangled. The personnel man has risen fast in management ranks, coming off the production line, and prides himself in his hard-headed knowledge of the business. The man he succeeded six months ago was easy-going and never got technical with the union, but this fellow is a stickler for the contract and is always waving it at the union. Already he and the local chairman have had several chewing matches. Each time the international representative has stepped in and kept matters from geting out of hand.

The local chairman feels his prestige is at stake here unless he can come up to the industry settlement. He makes a strong pitch for the 10 cents, after which the personnel man says:

"That is the kind of irresponsible talk you might expect from a guy in the shop who doesn't understand how you have to operate a business. Now you international men get around more and see things from a broader point of view. Why don't you straighten these fellows out?"

Before the international rep can answer, the local chairman blows his top and delivers some choice language. He ends up with: "You're so ignorant yourself it's a wonder you aren't pushing a broom somewhere."

The vice-president says that the chairman must apologize immediately or he will be fired for insubordination.

QUESTIONS:

1 If you were the international representative, what would you say or do at this point?

2 Could the Company carry out its threat to discharge the chairman? Cite cases.

3 Could the company refuse to meet the union committee as long as the local chairman was present? Cite cases.

4 Are there any circumstances under which the company would be able to discharge the chairman or refuse to meet with him?

Read the four checkoff clauses on Data Sheet 3 07 a, and then answer the following questions.

1 Which one, in your opinion, gives the individual union member the greatest freedom? Why?

2 Which one would you prefer to use? Why?

3 Which is the strongest clause that is legal under the T-H Law?

4 If a state has a more restrictive checkoff law than T-H, does the state law take priority over T-H?

WHMEO
D-B

1 "Upon proper written authorization by any individual employee, the company agrees to make payroll deductions for union dues and initiation fees, and to forward the amounts so deducted to the president of the union, or to such union officer as he may designate, in accordance with procedure approved by the company and the union. It is understood that authorization for such payroll deductions shall be voluntary on the part of the employees, and shall be subject to cancellation at any time upon written notice to the company by the individual or the union."

2 "I authorize and request the _____ company to deduct from my pay during the life of the current labor agreement the regular initiation fee, the regular monthly dues and such assessments as may be generally levied, and to forward these amounts to the Financial Secretary of Local No.____, International Brotherhood of Pulp Sulphite and Paper Mill Workers.

"I reserve the right to revoke this authorization during the two-week period preceding June 8, 1959."

NOTE: The agreement was negotiated June 8, 1957, and runs until June 8, 1959.

3 "I authorize the _____ Company to deduct initiation fees and regular monthly dues from my pay and to transfer such amounts to an officer designated by Local ___. This authorization will renew itself from year to year unless revoked by me in writing in the 15-day period prior to June 1 of each year."

NOTE: June 1 is the contract anniversary date.

WIWEO
D-B

Read each situation described below. Before trying to answer the questions raised, check the Index in your CASE BOOK for references, note these and then go on to develop your answer. Refer also to Sec. 8(D)(4) of the law.

The situation — References

1 An agreement with an anniversary date of June 1 has no clause prohibiting strikes or lockouts, although there is a limited kind of arbitration clause in the agreement. A number of issues are specifically exempt from the arbitration procedure. The union gave a 60-day notice of desire to change the agreement and then the 30-day notice to the Mediation Service, as required by law. But negotiations had not produced new terms of agreement by June 1. At that time the union and company signed an extension agreement reading, "This agreement will remain in full force and effect until July 1." On June 15 the union became convinced it was useless to talk further. Strike action was taken, and on June 18 the men were out on strike. The company charges this action is a violation of the extended agreement. Is the strike legal, or not? Explain.

2 A company and union have agreements covering three different plants organized at different times. The agreement at Plant A has its anniversary date on June 1, the agreement at the other two Plants (B and C) have anniversary dates one month later. The union is determined in view of difficulties it has been having with the company to put all three plants under one agreement. The company has different ideas. This year the union has begun negotiating at Plant A early in May, but by June 1 no agreement has been reached on anything. The anniversary passes, and still no agreement has been reached. By now it is time to negotiate at the other two plants. The union brings its committees from the three plants together and attempts to discuss a single agreement for the three plants with the company. At first the company is unwilling even to talk to the joint committees, but finally does so. By July 1 there is still no agreement on the issue of one agreement for the three plants. The local unions take strike action and on July 3 they are all out. Is the strike legal? Assume that proper notices were given.

Continue with questions below, following instructions on page 3 08

The situation | References

3 An agreement contains the following clauses:

"This agreement will remain in full force and effect until June 1, 1958, and from year to year thereafter unless either party gives 60-days' notice prior to June 1 of intention to negotiate changes.

"This agreement may be reopened for wages only upon 60-day notice in writing prior to June 1, 1957."

The Union used the wage reopener in 1957 and failing to reach an agreement, called a strike on June 4. The agreement did not contain a no-strike clause. Is the strike legal, or not? Explain.

4 Would the answer to situation 3 be different if the agreement contained the following provision:

"There shall be no strikes or lockouts during the life of this agreement."

5 An agreement with an anniversary date of June 1 has a standard grievance and arbitration clause. The term of the agreement is as follows:

"This agreement shall remain in full force and effect until June 1, 1957, and from year to year thereafter unless either party gives 60-days' notice in writing of intention to negotiate changes."

When the company discharged a union officer for theft, the local union held a special meeting, following which the department in which the discharged officer had worked did not return to their machines. The company has heard through its grapevine that the local meeting took official action to strike this department. Is the union action legal?

Economic and Unfair Labor Practice Strikes

The Labor Board makes a distinction between an "economic" strike and an "unfair labor practice" strike. Look up cases under these headings and then answer the questions below.

Union action	Which is it? Economic	Unfair Labor Practice
1 A strike at the end of a contract for a wage increase.	____	____
2 A strike during the contract because the employer discriminated against union officers for union activity.	____	____
3 A strike for recognition.	____	____
4 A strike at the end of a contract for a wage increase. The employer refuses to meet further with the negotiating committee until the strike is called off.	____	____

What difference does it make if a strike is classified as "economic" or as "unfair labor practice"?

What are the special hazards involved in "unfair labor practice" strikes?

WIWEO
D-B

Employer obligation to provide information

Be ready to answer for each of the following situations the question of whether the employer is obligated to provide information, and how far this obligation extends.

	Employer obligated? Yes	No
1 Company refuses a wage increase because it says it needs the money to make capital improvements which will benefit both owners and workers. Union asks to see books.	____	____
2 Union asks for list of wage rates and names of workers getting these rates. Company says this invades privacy of individuals.	____	____
3 Union wants to see time study standards in order to discuss revision of whole wage structure. If it does not get this data, the union intends to make its own time study of the plant. Company says no to both requests.	____	____
4 Union asks for ages and length of service for all its members so that it can calculate the cost of a pension plan. Company says it cannot do this but will give the union the total amount paid in for all employees, including supervisory and clerical not represented by the union.	____	____
5 Union in a company town wants to bargain over the rents in company houses, but the company will give it no information and in fact will not even discuss the subject.	____	____
6 Union asks for amount of company contributions to group insurance plan and for amount of dividends. Company says it will give amount of contributions but not dividends.	____	____

D-B MIMEO

Questionnaire - enforcement of union shop

1 The Boston Company entered into a union shop agreement on January 1 providing "all employees must join and maintain membership in good standing." Fred Turf, an employee for 15 years refused to join because his religious beliefs and principles forbade him joining or supporting any organization other than his Church. The Union asked for his discharge. The Company reluctantly complied. Was his discharge legal under Taft-Hartley?

2 A union shop agreement was in effect at a paper box factory in the midwest. All new workers were required to join the union within two weeks after employment by paying initiation fees and being initiated into the union by the officers at a union meeting. Phil Block paid his initiation fee and signed a checkoff authorization on the day he was hired but refused to attend the initiation ritual. Therefore the union claimed he was not a member of the union.

a) Could he be discharged?

b) What power did the union hold in this case?

3 The Credit Bldg Company, operating under a union shop agreement, employed Stu Kazlinski who was continually delinquent in payment of his union dues. After six months, the union imposed a fine on him and said they would not accept any further dues payments until the fine was paid. He tried to pay his dues several times, but the union continued to refuse to accept them. He continued to refuse to pay the fine. A month later, the Company informed him that the union was willing to accept his dues and if he paid them, he could retain his job. He did not offer to pay and was discharged.

a) What right did the union have in refusing his dues?

b) Was the Company right in discharging him? Why, or why not?

4 Martin Lavender was in arrears in his dues payments. Under the union constitution, a member had 90 days in which to pay his dues. Lavender's 90 days were up January 1. The union requested his dismissal under the union shop clause on January 2. On January 3 he sent in his dues, but on January 4 he was fired. Was his dismissal legal?

The National Labor Relations Act and decisions of the Board have gone far to limit, restrict and define "collective bargaining." Some of these effects are covered in the questions below, all to be answered "yes" or "no." The issue is whether or not the employer is obligated by the law to take whatever action is indicated. Be ready to cite cases in support of your answer and also to express your opinion as to the desirability or undesirability of the Board's interpretation of the law on each issue. What are the effects upon the union in each case - good or not so good?

Must an employer under the law:	Yes or No
1 Bargain with the union at one time for all his five plants, which are under separate agreements?	
2 Make specific counterproposals or concessions to the union?	
3 Hold off making wage increases effective until the union involved has accepted them?	
4 Bargain with the union over subcontracting of work if there is no mention of it in the agreement?	
5 Recognize a union in the absence of an NLRB election?	
6 Sign an agreement with a union containing a provision that he will not handle "hot cargo."	
7 Recognize the steward in the first step of the grievance procedure?	
8 Grant superseniority for union officials?	
9 Submit a matter to arbitration if he thinks it is not a proper subject for arbitration. The contract has a standard arbitration clause?	
10 Bargain over the work load of individual employees?	

What happened: (check appropriate column at right for your answer, including case reference where possible)	COMPANY: must yield if union insists	must discuss but may withhold	need not discuss
1 Company has negotiated terms of an agreement with the union after a bitter pre-election fight. Company now says it will not put the agreement into writing and sign it.			
2 Company says it will not deal with the International Representative because he is not an employee of the company.			
3 The Union has called a strike, following long negotiations. The company refuses to meet with the negotiating committee while the strike is in progress. The union contends that the company must meet with them.			
4 The subject of a pension plan was discussed at the last negotiations, but no decision was reached. Now the union wishes to discuss this matter, and the company refuses.			
5 The company has offered the union 5 cents per hour on a take-it-or-leave-it basis. The union has tried to get the company to make another offer, without success.			
6 Company says it is unwise for it to pay a ten-cent increase that the union is demanding. The union asks for a look at the company books, but the company refuses.			
7 Union has protested company practice of having foremen settle grievances directly with employees involved, without having steward present. Company says this practice is within the law.			

OEMIM
D-B

What is the highest penalty the union can suffer in each of the following instances? Assume that the action in each case is found to be unlawful.

	cease-and-desist order	damage suit	other (specify)
1 The union engages in an unlawful secondary boycott.			
2 The union has an employee discharged under an illegal union shop clause.			
3 The union strikes during the life of its agreement.			
4 The union grants vacation benefits only to union members.			
5 The union is not in compliance with NLRB filing requirements at the time it renews a union shop clause.			
6 The union refuses to bargain collectively.			
7 A union officer falsifies the NLRB form on distribution of financial information.			
8 An international representative publicly encourages a wildcat strike.			

Analyze the above answers to see which actions place the union in the greatest jeopardy.

The University of Wisconsin is indebted
to the Industrial Union Department, AFL-CIO,
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WASHINGTON—U.S.A.

Supreme Court's Steel Strike Decision Dims Hopes for Taft-Hartley Revision

By Julius Duscha

SENATOR George A. Smathers (D.-Fla.) and some other Congressmen are still talking about rewriting the national emergency provisions of the Taft-Hartley Act, but the Supreme Court decision upholding the steel strike injunction seems to have effectively nullified any proposals to change the nation's basic labor law. Even if the steel dispute is not settled by the time the second session of the 86th Congress convenes on January 6, it is unlikely that a majority could be mustered on Capitol Hill in the coming Presidential election year for any proposal even to tinker with the Taft-Hartley Act.

Congressmen now have a relatively safe judicial standard to which they can repair as they ride out 1960. If the Court's decision had not been so one-sided—with only Justice William O. Douglas dissenting, and even then not on the constitutionality issue—they might be more disposed to giving serious consideration to the manifestly unfair workings of the injunction. Unfortunately for the labor movement, Justice Douglas carries little weight on Capitol Hill.

But disappointing as the decision may be to labor in particular and to liberals in general, it does put a solid judicial foundation under several controversial aspects of the Taft-Hartley Act. The Court clearly stated that the national emergency provisions of the law are constitutional, even though they may at times result in inequities to the employes or employers involved in a dispute:

"Congress was not concerned with the merits of the parties' positions on the conduct of their negotiations.

"Its basic purpose seems to have been to see that vital production should be resumed or continued for a time while further efforts were made to settle the dispute."

In upholding the right of Congress to provide for the issuance of an injunction to halt a strike, the Court said that Congress set out adequate procedural safeguards and limitations on the injunctive power. The Court

DOUGLAS: CARRIES LITTLE WEIGHT

noted the requirements for a public report by a fact-finding board, the vast political and executive responsibilities of the President, the provisions for continued bargaining during the first 60 days of the injunction, and the limitation of the injunction to 80 days.

Turning to the words "national health or safety," in Section 208 of the Taft-Hartley Act, the Court passed over the question of what constitutes a peril to the "national health" and then went on to give in effect a rather broad interpretation of what constitutes a threat to the nation's safety. Arthur J. Goldberg, counsel for the Steelworkers Union, had argued that both the words "health" and "safety" ought to be narrowly construed. In his dissent, Douglas cited with a good deal of persuasion the legislative history of the Taft-Hartley Act in the Senate in support of Goldberg's thesis.

However, the majority said: "The statute was designed to provide a public remedy in times of emergency; we cannot construe it to require that the United States either formulate a reorganization of the affected industry to satisfy its defense needs without the complete reopening of closed facilities, or demonstrate in court the unfeasibility of such a reorganization."

Douglas argued that the District Court should have tried to find out what steel plants needed to be reopened to remove the strike's threat to the nation: "I would remand the case to the District Court for particularized findings as to how the steel strike imperils the 'national health' and what plants need to be reopened to produce the small quantities of steel now needed for the national 'safety.' There would also be open for inquiry and findings any questions pertaining to 'national health' in the narrow sense in which the act uses those words."

The other eight Justices did not really resolve the narrow-vs.-broad interpretation of the words "health" and "safety," but the majority cer-

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tainly leaned noticeably in the direction of a broad interpretation. Anyone who would now argue before the Court for a narrow construction of these two key words would probably find even less sympathy for his thesis than Goldberg did.

As for Goldberg's argument that the emergency provisions of Taft-Hartley require the courts to carry out executive functions which the Constitution prohibits them from exercising, the Court replied: "We conclude that the statute entrusts the courts only with the determination of a 'case or controversy' on which the judicial power can operate, not containing any element capable of only legislative or executive determination."

Thus, the findings of the eight-man majority were brief but for the most part quite clear. One does not have to agree with the majority opinion to recognize that the Taft-Hartley Act has been clarified to a considerable degree by the steel strike which it has failed so far to settle.

In his dissenting opinion, Justice Douglas devotes most of his argument to narrowly delimiting the "national health and safety" phrase. He also argues that if the steel strike was indeed imperiling the national safety, it was not necessary to force all 500,000 steelworkers back to work when only a handful of them is needed to produce the steel required by the defense program.

Here, however, a question as philosophical as it is practical arises. Could the courts, as the majority opinion notes, be expected to reorganize, even temporarily, the steel industry, to meet defense needs in a time of an emergency caused by a labor-management impasse? A court hardly seems to be the best instrument for making such an essentially economic and executive finding.

The bitterness with which the steelworkers greeted the Supreme Court decision is understandable. Many strikers believed that their walkout was beginning at last to apply the economic pressures on the industry which would have led to a settlement of the dispute if the Government had not intervened. But once the machinery of the Taft-Hartley Act was set into motion by President Eisenhower, the pressure on the industry for a settlement was markedly eased. The industry had everything to gain and little to lose by waiting out the judicial proceedings. As expected, the courts found for the Government—and in this case, the industry.

The injunction vividly etches upon the record the inherent unfairness to one side or the other in the use of such proceedings in a labor dispute. Here, then, is a further persuasive argument for flexible procedures to replace the rigid restrictions of the national emergency provisions of the Taft-Hartley Act.

But what sort of flexible procedures should be substituted for the 80-day injunction? There is still considerably less unanimity about how the Taft-Hartley Act ought to be amended than there was on the Supreme Court when the Justices were confronted with the steel case.

Persons in Washington who are knowledgeable about labor-management relations are thinking more and more about bringing in the Government much earlier in labor disputes such as the steel strike which can quickly have a harmful effect on the national economy. The problem which concerns everyone, and which no one has yet solved, is how to use Government action without having Federal arbitration become a highly doubtful and dangerous substitute for free collective bargaining.

The Railway Labor Act is a distressing example of what too much Government interference can do. The Government long ago decided that strikes cannot be tolerated in as vital a segment of transportation as the railroads still represent. Yet the price which has been paid by both the railroad unions and the railroads is the loss of any genuine collective bargaining to fact-finding boards.

Senator Smathers' proposal for a Supreme Court of Labor-Management Relations, with the power to enforce its decisions, represents an extreme position that is unlikely to find any supporters among either labor or management. Yet compulsory arbitration may be the ultimate result if a solution which preserves most of the present prerogatives of collective bargaining is not worked out by Congress.

Somehow, a plan must be devised which gives the public interest greater representation at the bargaining table in such industries as steel, where the decisions that both labor and management make have far-reaching effects throughout the nation's economy. This would seem to be an ideal project for a group like the Joint Congressional Committee on the Economic Report, and for the Banking and Currency Committees in both the Senate and the House.

The election-year atmosphere of 1960 may not be conducive to thoughtful discussion of economic legislation. Nevertheless, the second guessing on the steel strike, now a popular Washington indoor sport, ought to lead to more than economic politicking in the second session of the 86th Congress which convenes just 20 days before the steel injunction runs out.

RETURN ENGAGEMENT?

"There will be a revolution and I will return," Peron said.—News item.

If so, I swear I'll close my eyes
The way I always do
At the re-run of a movie which
Was bad when it was new.

—Richard Armour

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Nov 1959

SHOULD UNIONS BE MADE SUBJECT TO THE ANTI-TRUST LAWS?

By EMANUEL CELLER
Congressman from New York;
Chairman, House Judiciary Committee

This article by Congressman Celler is in response to an address by E. J. Hanley, president of Allegheny Ludlum Steel Corporation, which was printed in *U.S. News & World Report* on August 10. The Celler article also appeared originally in that magazine.

DOES our national policy to encourage collective bargaining mistakenly discriminate against corporate management and coddle labor? Should labor unions be made subject to the federal anti-trust laws?

Proposals to repeal the Clayton Act's exemption of labor unions from the anti-trust laws recur with especial persistence in times of public debate over the labor issue. During the recent Congressional consideration of controversial labor legislation, we were again bombarded with the proposition that the anti-monopoly laws ought to treat associations of workingmen identically with business combinations.

A recent expression of this viewpoint is the address of E. J. Hanley, president of Allegheny Ludlum Steel Corporation, before the Iron and Steel Institute, as printed in *U.S. News & World Report* for August 10, 1959, urging that the public be educated to bring pressure on Congress "to do the obvious thing * * * by applying to monopoly unionism the restrictions of the anti-trust laws."

There is no immediate prospect for the adoption of this expedient, but its repeated public advocacy is a favorite weapon of those who desire drastic reduction of organized labor's strength.

I am convinced that the proposal to subject unions to the anti-trust laws reflects, at best, a naive misconception of the nature of the monopoly problem on the one hand and of collective bargaining on the other. At worst, I fear, it exploits a superficially plausible but factually untenable analogy between human labor and the commodities of commerce, for the purpose of depriving working people of their right to bargain collectively.

In either event the proposal raises a false issue and beclouds and embitters the search for solutions of the labor problem. Although Congress has since enacted a labor bill which at least avoids the extremity of Mr. Hanley's proposal, this provocative proposition requires a thorough airing.

Only if the objectives of our anti-trust policy and the nature and purpose of labor unions are understood will the epithet "monopoly unionism" fall into its proper place, clearing the way for constructive solutions of public issues affecting labor.

FREE enterprise competition has always been the foundation of American economic policy. Underlying this policy is the premise that competition is the best regulating force in a free economy; that monopoly control of a commodity in any particular market is undesirable because it enables the monopolist to raise prices and to profit unjustifiably from the needs of consumers.

In the United States, the Nineteenth Century gave rise to an unbridled tendency toward monopolization and restrictive practices. Industrial giants absorbed enterprise after enterprise into ever greater and fewer combinations, ruthlessly trampling out resistance. When the people became aroused by this threat to the survival of competition, Congress responded by enacting the Sherman Act of 1890, which proscribes monopolization and combinations in restraint of trade.

Such was the impetus of the drive toward concentration, however, that further legislation was found necessary, and in 1914 Congress enacted the supplementing amendments of the Clayton Act. Together, these two statutes express the fundamental national concern that free enterprise competition shall be preserved.

Because some courts had applied the Sherman Act to labor unions, Congress in the Clayton Act clearly provided that "the labor of a human being is not a commodity of commerce." It is this straightforward recognition of the difference between human labor and goods in commerce whose proposed repeal, after half a century, is the subject of the present article.

It may be noted that there are also other aspects of industrial activity in which, for special reasons, Congress had determined that unfettered competition is not in the public interest.

Thus, farm cooperatives, which do millions of dollars of business annually, enjoy anti-trust exemption, and the nation's railroads, truck lines, air lines, water carriers, pipelines and communications carriers are all exempted from the anti-trust laws

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exchange for submission to the supervision of federal regulatory agencies.

With a few exceptions, however, it is an axiom of our system that competition must be preserved and that monopolies, which suppress or destroy competition, are contrary to the public interest.

As long as workers have labored in factories, they have banded together in an effort to obtain better wages and working conditions from their employers. Individually, the workers were helpless to bargain for a wage. Their choice was to take what was offered or go without. Acting in concert, they were better able to bargaining because they were in the position more effectively to withhold their labor. For what is known as collective bargaining, in its nature, implies the right to strike if an impasse is reached.

By the beginning of the present century, the phenomenal growth of large corporations had so far diminished the bargaining power of individual workers that unionization became virtually indispensable. In 1920 Chief Justice Taft, who was never a radical in labor law, stated:

Labor unions "were organized out of the necessities of the situation."

"A single employe was helpless in dealing with an employer. He was dependent ordinarily on his daily wage for the maintenance of himself and his family. If the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employ and to resist arbitrary and unfair treatment. Union was essential to give laborers opportunity to deal on equality with their employer." (In American Steel Foundries versus Tri-City Central Trade Council, 257 U.S. 184, 209.)

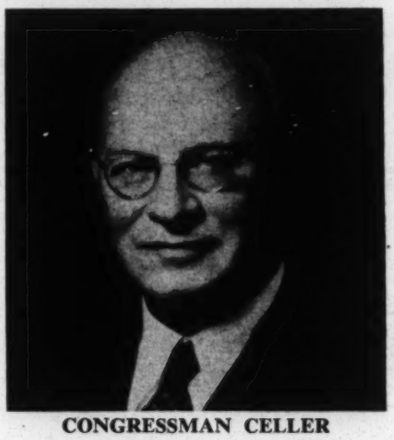
Since one of the basic purposes of a labor union is to eliminate competition among the employes in a labor market, a literal application of the anti-trust laws to labor would require the dissolution of even the smallest union. For members of every union agree not to compete for jobs by undercutting each other's wages, and every strike or picket line seeks to eliminate the employer's alternate supply of labor. Thus, if human labor were to be equated with a commodity of commerce, all unions and virtually all the practices they engage in would become illegal.

Proposals to apply the anti-trust laws to labor overlook or ignore this contradiction, even when their authors disavow any purpose to destroy unions or collective bargaining as such. For example, Mr. Hanley in his speech, as printed in *U.S. News & World Report*, declares:

"Of course, labor had always been specifically exempted from the anti-trust laws—and why not? Labor, after all, is merely the organization of individuals. Individuals, the theory goes, have to be banded together to give some balance of power when dealing with businesses having so much influence on their destiny. *And I don't believe that anyone would argue with that theoretical objective.*" (Emphasis supplied.)

Yet this very speech closes with an eloquent appeal to induce Congress to apply the restrictions of the anti-trust laws to what he calls "monopoly unionism"!

The contradictory character of these two positions should be self-evident. If human labor is to be equated with an article of commerce, all unions must be dissolved, for they exist for the purpose of eliminating wage competition among workingmen. If, on the other hand, the distinction between human labor and commodities of commerce merits continued legislative recognition, then all unions, regardless of size, strength and effectiveness, should be permitted to organize, bargain and resort to economic sanctions, within the ground rules laid down by Congress in the public interest.



CONGRESSMAN CELLER

Presumably the object of subjecting labor unions to the anti-trust laws would be to restore competition to the labor market. This means direct competition between workers for jobs. But the labor market is so different from the commodity market that it would be folly to apply the same rules to both.

In the first place, what the worker sells is not property; it is a part of his physical self. The value of his labor, if withheld, can never be recovered. He cannot store it or ship it in the manner of goods, but must exercise or lose it.

Second, in his effort to secure fair wages, the individual worker is always confronted by a combination. To quote Adam Smith in his classic, "The Wealth of Nations":

"Masters are always and everywhere in a sort of tacit, but constant and uniform, combination not to raise the wages of labor above their actual rate. * * *"

Third, individual workers are forced to compete with each other for wages to an extent far exceeding the competition of employers for labor. They lack either the knowledge or the mobility to move their homes and families to places where wages are higher.

It is also misleading to compare labor unions to business monopolies. Unions do not have the control over the labor of their members that is enjoyed by owners over the goods they sell. No more than their individual members can unions store or ship that labor. Nor are they in a position to make unrestricted delivery of it. This imperfect control, compared to the control exercised by sellers over their goods, sharply limits the power of unions. They are not truly sellers but brokers of labor —a perishable, variable and relatively immobile product.

Finally, whether organized or unorganized, the workers lack financial reserves comparable to those available to employers of labor. To treat trade unions as monopolies and to prohibit their activities as restraints of trade would thus fly in the face of the industrial realities.

It is hardly surprising that our national policy touching labor relations has long distinguished between labor unions and business monopolies and has consistently encouraged employes' self-organization and collective bargaining. The history of this policy may be briefly traced.

Courts once regarded labor unions as criminal conspiracies in restraint of trade. But this repressive view gradually gave way to the more realistic formulation that unionization

was not in itself illegal and that concerted activities of workers were permissible if they sought lawful objectives—such as higher wages—by lawful means.

As Justice Stone has put it:

"A combination of employes necessarily restrains competition among themselves in the sale of their services to the employer; yet such a combination was not considered an illegal restraint of trade at common law when the Sherman Act was adopted, either because it was not thought to be unreasonable or because it was not deemed a 'restraint of trade.'" (In Apex Hosiery Company versus Leader, 1940, 310 U.S. 469.)

Nevertheless, prior to 1914, the courts often misused their injunctive power and applied the Sherman Act to various types of labor disputes, so that, when the Clayton Act was considered in 1914, unions succeeded in persuading Congress to enact the famous Section 6 which states specifically that:

"The labor of a human being is not a commodity or article of commerce. Nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor * * * organizations, * * * or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the anti-trust laws."

NOTWITHSTANDING the clear-cut provisions of the Clayton Act, the judiciary's continuing abuse of the injunction power finally led to the adoption of the Norris-LaGuardia Act in 1932. This statute was designed to protect union activity from government by injunction, and contains an eloquent appraisal of the need for collective bargaining which recognizes that "* * * the individual unorganized worker is commonly helpless to exercise actual liberty of contract and to protect his freedom of labor. * * *"

In the National Labor Relations Act of 1935, Congress reiterated its commitment to collective bargaining, prohibiting a number of employer practices vis-à-vis employe self-organization as "unfair." Twelve years later, in the Taft-Hartley Act of 1947, Congress prohibited certain unfair labor practices on the part of labor unions—such as secondary boycotts. The fundamental commitment to collective bargaining, however, was reenacted without change. It remains unchanged under the Labor Act of 1959.

To summarize: Since 1914 it has been the consensus that a healthy democratic society must place its faith in collective bargaining for the settlement of labor disputes. To this end, the anti-monopoly laws have been held inapplicable to unions acting in the interest of their members. Undesirable practices by unions have been prohibited, not by the anti-trust laws, but by the special statutes regulating labor relations.

WHAT are the arguments by which proponents of the subjection of labor unions to the anti-trust laws would justify turning back the clock to the days of open-shop, sweatshop, yellow-dog-contract labor relations? In sum, they are that:

1. Government unduly or unfairly favors labor over other segments of the economy;
2. Some unions are "too big";
3. Some labor personalities and unions have been guilty of transgressions; and,
4. Organized labor is responsible for "wage-push inflation."

The attempt to present labor as a unique beneficiary of government assistance is most unpersuasive, since Congress has exempted several other aspects of industrial activity from the impact of the anti-trust laws. Virtually the entire transportation, communications and power industries are in this category. So are farm cooperatives.

Moreover, the equalization of bargaining power through the guarantee of collective bargaining rights hardly compares to the heavy subsidies which the federal government affords a number of industries. Consider the subsidies to agriculture and the shipping industry, and the public supports to the oil and other extractive industries in the form of percentage depletion allowances for tax purposes. In contrast, the Labor Relations Act merely protects individual workers in their right to bargain collectively.

Furthermore, the cry of "bigness" sounds strangely from that quarter which has contended, in the area of anti-trust enforcement, that bigness alone does not warrant federal interference. In the labor area, the argument runs that industry-wide or area-wide or pattern collective bargaining somehow becomes monopolistic.

The fact is that collective bargaining relationships between local unions and employers have taken varying forms in response to the special economic problems and traditional practices of different trades and industries. Multi-employer bargaining has not been the sole creation of unions but, rather, a response by both union and management to the exigencies of the situation.

Moreover, there is no substance in the charge that labor viewed as a whole exercises too great economic power vis-à-vis the employers. Looking at the total picture, the greater strength is still predominantly on the side of the employers. Only a minority of all wage-earners are organized—18,500,000 as of 1956, or one out of four—and many of them are organized in unions which cannot begin to match the economic power of the employers.

With respect to the transgressions against the public interest of which organized labor or its protagonists may be guilty, the informed consensus remains that such matters should be made the subject of prohibition in the regulatory statute which applies to labor relations. As the late Senator Robert A. Taft, a symbol of conservatism, declared:

"You would practically have to write an anti-trust law for labor because I do not think the Sherman Act is really aimed at it."

Finally, it is becoming daily more evident that inflation is neither as great nor as imminent a threat to our economy as has been urged in labor-baiting quarters. Nor is it to be laid at the doors of labor alone. The few decades during which labor has enjoyed federal protection of its right to organize have marked the most unprecedented material advance of our economy. They have seen the successful prosecution of a cataclysmic war. They have produced ever greater personal prosperity for all.

Free enterprise capitalism, with collective bargaining, has given Karl Marx the lie. It would be fantastic to jettison the system under which these gains were realized in a misguided attempt to crack down on labor.

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Text of Labor Management Relations Act, 1947, as Amended by Public Law 86–257, 1959 *

Key to Amendments

Portions of the Act which have been eliminated by the Labor-Management Reporting and Disclosure Act of 1959, Public Law 86–257, are enclosed by black brackets; provisions which have been added to the Act are in italics; and unchanged portions are shown in roman type.

[Public Law 101—80th Congress]

AN ACT

To amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND DECLARATION OF POLICY

SECTION 1. (a) This Act may be cited as the "Labor Management Relations Act, 1947."

(b) Industrial strife which interferes with the normal flow of commerce and with the full production of articles and commodities for commerce, can be avoided or substantially minimized if employers, employees, and labor organizations each recognize under law one another's legitimate rights in their relations with each other, and above all recognize under law that neither party has any right in its relations with any other to engage in acts or practices which jeopardize the public health, safety, or interest.

It is the purpose and policy of this Act, in order to promote the full flow of commerce, to prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce.

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* Section 201 (d) and (e) of the Labor-Management Reporting and Disclosure Act of 1959 which repealed Section 9 (f), (g), and (b) of the Labor Management Relations Act, 1947, and Section 505 amending Section 302 (a), (b), and (c) of the Labor Management Relations Act, 1947, took effect upon enactment of Public Law 86–257, September 14, 1959. As to the other amendments of the Labor Management Relations Act, 1947, Section 707 of the Labor-Management Reporting and Disclosure Act provides:

> ***The amendments made by this title shall take effect sixty days after the date of the enactment of this Act and no provision of this title shall be deemed to make an unfair labor practice, any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.***

Published by the Industrial Union Department, AFL-CIO, a a Service for Staffs of Affiliated Unions
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i·u·d fact sheet

Volume IV JANUARY 1960 Number 1

INDUSTRY and COMMERCE

THE INVESTMENT BANKERS ASSOCIATION has advised members to expect the FEDERAL RESERVE to raise its discount rate in the near future, although it isn't saying just when. It has also advised members to look for another rise in the prime rate—interest to highest rated borrowers—soon. RESERVE BANKS discount rate now stands at four percent and private banks are already charging a 5.0 percent rate to "prime" borrowers. Both discount and prime rates are expected to rise one-half percent. Reason being given is tightness of money in the presently upsurging economy.

TIGHT MONEY policies of the EISENHOWER ADMINISTRATION may become an election issue of significance if the economy shows signs of slowing down before next November's election. Presently, there are no indications that the Administration will relax the monetary brakes to supply credit needed to sustain the present upsurge. With the steel strike settled and the renewal of the upward phase of the business cycle, the reverse is in prospect. PRES. EISENHOWER has again called for removal of the 4.5 percent interest ceiling on long term U. S. bonds but this proposal is again meeting stiff opposition in CONGRESS. Meanwhile, first reports of major banks show that profits are hitting another all-time high and are up from 12 to 24 percent over last year. High interest rates sparked by present monetary policy is given credit for the bonanza earnings of the bankers.

A DISSENTING voice to claims of long term boom has been raised by the UNIVERSITY OF ILLINOIS BUSINESS REVIEW. This publication finds that the upsurge of 1959 was brought on largely by the build-up in steel inventories preceding the strike, consumer credit expansion and other inventory renewal. It sees no reason that the present upsurge, which it terms a renewal of the boom of last spring, should necessarily be of a continuing nature. It sees inventories in steel renewed by next June, and auto inventories rebuilt by the end of this quarter and doubts that the auto industry will be able to sell all cars produced.

ON THE OTHER HAND the CHICAGO FEDERAL RESERVE has painted a rosy picture of the months ahead and has pointed to increased business investment and a likely boost in "employment, income and consumer expenditure." The FEDERAL RESERVE of NEW YORK is more cautious and sees "many uncertain elements in the situation," although it is quite optimistic for the short term. One of the elements bothering the New York bank is that while there is "continuing strength" in business expenditures for new plant and equipment, the "anticipated rate of growth is slower than during the first three quarters of 1959."

A STEPPED-UP PACE of automation in production and in record-keeping is in prospect. WALTER H. FINKE, president of MINNEAPOLIS-HONEYWELL DATAMATIC, has predicted that new "second generation" electronic computers and related data processing devices will speed up office automation appreciably in 1960. T. R. JONES, president of DAYSTROM, INC., has reported that a rigid six-month test of almost completely automated power generation in a plant of the LOUISIANA LIGHT & POWER CO. has been eminently successful. RICHARD ABBOTT III, head of an engineering firm, told the recent convention of the NATIONAL RETAIL MERCHANTS ASSN. that a completely automated warehouse with goods stored and shipped by machine is almost a real-life fact.

COLLECTIVE BARGAINING DEVELOPMENTS

BENJAMIN FAIRLESS, president of the AMERICAN IRON & STEEL INSTITUTE, has stated that he feels that major strikes can be eliminated by enlightened management and labor in the "reasonable future" without intervention by the federal government. He declared in a talk to the WASHINGTON (D. C.) BOARD OF TRADE that meetings between top level labor and management should be "on an almost daily basis" not just when contracts run out. Meanwhile, PRES. EISENHOWER asserted in his STATE of the UNION MESSAGE that he endorses a labor-management summit and the ADMINISTRATION is reported to be working to that end. Both PRES. EISENHOWER and LABOR SEC. MITCHELL have declared that the recent steel settlement is non-inflationary.

A NEW CONTRACT between the UNITED AUTO WORKERS and ALCOA provides wage increases of 28.5 cents per hour over a three-year period. The new pact covers some 4,000 UAW members at company plants in Cleveland, Garwood, N. J., Chicago and Vernon, Calif. The pact is similar to those negotiated earlier with ALCOA by the UNITED STEELWORKERS and the ALUMINUM WORKERS. BRICK AND CLAY workers have reached agreement with 12 companies with plants in 10 states for 10,000 members. Workers had remained on jobs under contract extensions since old pacts expired last June.

THE NEWLY FORMED INTERNATIONAL MARITIME WORKERS UNION, which is supported by the NATIONAL MARITIME UNION and the SEAFARERS INTERNATIONAL UNION, halted the unloading of a U. S. owned ship flying the LIBERIAN flag when it threw up picket lines in Philadelphia. IMWU stated that two officers and 15 of the 17 unlicensed seamen on the 10,000-ton Liberty ship had designated it as bargaining agent. Seamen are seeking fair pay and safe and decent working conditions aboard such runaway ships.

TALKS WITH employers to establish new methods to govern wage payments have been announced by the DRESS JOINT COUNCIL of the INTERNATIONAL LADIES' GARMENT WORKERS. Present pay procedures were established in 1936, and since that time production methods have change significantly. New methods are designed to assure greater conformity and better enforcement of the complicated wage system of the industry. CHARLES ZIMMERMAN, manager of the JOINT COUNCIL, stated that with fundamental changes in production techniques "it would be fairer for all employers and fairer for our members to have a single standard that would apply to all types of production."

OIL, CHEMICAL AND ATOMIC WORKERS has reached a settlement with AMERICAN OIL for members employed at the firm's Texas City plant, after a 191-day strike. Key issues in this strike and a strike at the El Dorado, Ark., plant of the company involved contract language governing job assignments. A strike of 700 members of OCAW against the parent STANDARD OIL OF INDIANA is still continuing over similar issues. This latter strike has been going on for more than six months, and another strike of similar length is continuing against JOHNS-MANVILLE at Marrero, Iowa, where 600 members are involved.

THE LABOR DEPARTMENT has estimated that wage increases won last year averaged slightly below nine cents per hour. At the same time the NATIONAL INDUSTRIAL CONFERENCE BOARD found that payrolls moved upward by eight percent last year and that costs of all fringe benefits—those negotiated by unions, higher social security taxes, workmen's compensation, unemployment compensation—rose about 12 percent.

ECONOMIC INDICATORS

WITH THE STEEL strike settled, unemployment in December dropped by 93,000. Joblessness at 3.6 million was still 5.2 percent of the labor force, however, although this was down from the 5.6 rate of last November. Employment, at 65.7 million, was the highest for December on record. Recalls resulting from the new flow of steel were largely responsible for an increase in factory employment of 152,000.

RETAIL SALES hit a record level of $215.6 billion last year, about eight percent higher than in the 1958 recession year. Retail stores now expect the first half of 1960 to continue to show gains, although not as great percentagewise as in the first

half of last year. A survey of the delegates to the convention of the NATIONAL RETAIL MERCHANTS in New York indicated that merchants expect sales in the first weeks of 1960 to be four percent higher than in the same period of last year.

AUTO OUTPUT is 30 percent over last year as the industry rebuilds inventories depleted by the steel strike. With production scheduled for 176,000 units for the third week of January, output was the highest for any week since December of 1955. New compact cars were accounting for about a fifth of output. Industry was predicting the second best auto year on record. GM chairman FREDERIC DONNER has estimated total sales for 1960 at 8.0 million units, including half a million imports. AMERICAN MOTOR head GEORGE ROMNEY is slightly less optimistic and has predicted sales of 7.5 million with imports holding their present position.

STEEL OUTPUT in December hit an all-time record of more than 11 million tons. The industry now is running at 95 percent of capacity and is expected to maintain high levels through the first half of the year.

NEW PRIVATE HOUSING starts in December rose seasonally to an annual rate of 1,310,000 and total starts for the year were 1,341,000 compared with 1,141,500 in 1958. The December upturn was greater than expected but government officials still see a falling off of home starts in 1960 to 1.1 or 1.2 million. Actual home starts in December were 81,700 compared with 90,700 in November but the decline was less than usually takes place.

NLRB AND THE COURTS

NLRB majority has ruled that even though a company is guilty of closing its plant to avoid dealing with a union, the employees laid off because of the permanent shutdown are not entitled "to any monetary compensation for the period subsequent to the permanent cessation of business operations..." In a sharp dissent, BOARD MEMBERS JENKINS and FANNING charged that "the remedy...in this case is woefully inadequate." The dissenters asserted that "no impediment exists to an award of back pay to the [employees] until such time as they secured employment substantially equivalent to what was illegally taken from them..." BOARD MEMBER RODGERS dissented from the majority opinion that BARBERS IRON FOUNDRY, of Bridgeton, N. J., was guilty of unfair labor practice charges filed by the INT'L MOLDERS AND FOUNDRY WORKERS.

TRIAL EXAMINER LLOYD BUCHANAN has recommended that charges filed against DEERING, MILLIKEN & CO. by the TEXTILE WORKERS UNION be dismissed since the firm did not control the operations or labor relations of DARLINGTON MANUFACTURING CO. The recommendations are included in BUCHANAN's third report to the BOARD since DARLINGTON was originally found guilty of closing its plant to avoid dealing with the TEXTILE WORKERS. The union has charged that DARLINGTON was only a part of the DEERING, MILLIKEN empire and that the parent body should be penalized for its affiliate's actions. In his latest report, BUCHANAN declared that while DEERING, MILLIKEN owned a majority of the DARLINGTON voting shares, cooperation between the two organizations in "financial, technical, and administrative matters did not impinge on or affect DARLINGTON's full and sole control of its labor relations." BOARD is expected to review all three of BUCHANAN's reports jointly before issuing its order.

FEDERAL DISTRICT COURT JUDGE WILLIAM SWEIGERT has upheld the constitutionality of the LANDRUM-GRIFFIN BILL's "hot cargo" ban. In a case involving the AMALGAMATED LITHOGRAPHERS, the judge granted the NLRB an injunction forbidding the ALA to strike for the inclusion of a secondary boycott clause in its contracts with lithographers and printing companies. ALA has challenged the constitutionality of the new law's provision and is preparing to appeal JUDGE SWEIGERT's decision to the SUPREME COURT. Union charges that the "hot cargo" ban violates the due-process clause of the FIFTH AMENDMENT and the free-speech guarantee of the FIRST AMENDMENT. ALA's two-month strike against SAN FRANCISCO lithography employers will continue since inclusion of the secondary boycott clause is only one of many issues in dispute.

BOARD committee on rules revision headed by MEMBER JENKINS has proposed major changes in the handling of unfair labor practice cases. One of four changes would "confine the representation of parties in cases before the NLRB to lawyers except that companies and unions may be represented by their own officials." In addition, those appearing before the BOARD would be "subject to disciplinary action or even disbarment for improper professional conduct." According to the committee, the recommendations are in accord with the practice of the courts and other administrative agencies. The committee would permit present "non-lawyer practitioners" to continue to practice if they obtain permission of the BOARD. At present, anyone may represent interested parties in NLRB cases. Recommendations of the committee are subject to the approval of the full BOARD.

UNIONS WERE certified as bargaining representatives at three UNITED STATES GYPSUM CO. plants during December. The INT'L ASSOCIATION OF MACHINISTS won bargaining rights in Staten Island, N. Y., following an earlier 259 to 51 election victory. In Wabash, Ind., the PULP, SULPHITE & PAPER MILL WORKERS was certified following a 103 to 65 vote. In South Plainfield, N. J., the OIL, CHEMICAL AND ATOMIC WORKERS won a representation election by a 49 to 2 margin. UNITED AUTO WORKERS has won an election at STUBNITZ GREEN CORP., in Chester, Pa., by a 491 to 193 margin over DISTRICT 50, UNITED MINE WORKERS.

ON CAPITOL HILL

REP. EMANUEL CELLER (D., N.Y.), chairman of the HOUSE JUDICIARY COMMITTEE, has accused Republican members of the RULES COMMITTEE of sacrificing civil rights legislation with a "political payoff." CELLER charged that the coalition of Dixiecrats and Republicans control eight of the 12 votes on the RULES COMMITTEE and that GOP members of the committee could get the moderate bill passed by his committee to the floor by switching their votes. CELLER's attack was included in a request for additional signatures on a discharge petition that requires 219 names before the bill can be taken out of committee. Of the slightly more than 150 present signatures on the petition, CELLER said "only a handful" are Republicans.

OTHER ITEMS OF INTEREST

CHAMBER OF COMMERCE PRES. ERWIN D. CANHAM has called for more "public economic education" to combat "strong factors working in favor of anti-business legislation." Speaking at the annual dinner of the NATIONAL RETAIL MERCHANTS ASSOCIATION, he told the merchants that they could do more than any other businessmen to "safeguard our free market economy." CANHAM singled out for special attack a proposal to place retail employees under the protection of the FAIR LABOR STANDARDS ACT. He complained that expanded federal minimum wage coverage would be "inflationary."

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REPRINT SERIES NO. 84

INSTITUTE OF LABOR AND INDUSTRIAL RELATIONS

Emergency Strikes and National Policy

by R. W. FLEMING

UNIVERSITY OF ILLINOIS BULLETIN

ULR 1/20/61

Political use of dues

Machinist v. Street

Ga Sup Ct.

U.S. Sup Ct

reversed

Rutledge, Sol Gen

— No an dues use

But this does

not attack union

shop provision of

Act (Ry Lab Act)

Woolco and Teamsters

129 NLRB #153

T-H

8(b)(7) amended Overlies Elections

Unit must include all workers involved in picketing (even if alleged unit is smaller)

Unit must be appropriate under usual Bd rules —

Reg. Dir determines

which wks involved in picketing

what is smallest unit that will contain them.

Fanny Knobel } 2 Dec

ULR 1/20/61

check for references

I.U.D. Bulletin

published by the

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Equal Treatment for All

The preamble of Taft-Hartley says that the law is designed to promote collective bargaining. Nevertheless, the secondary boycott provisions of the law have for years been used to deprive unions of their legitimate rights to picket and conduct effective strikes.

The building trades unions were first to feel the brunt of the law. A decade ago, these unions tested their right to picket at a construction site where employees of more than one subcontractor are employed. The case was taken from the NLRB through the courts.

The Supreme Court held that picketing at a common construction site by a building trades union is an unlawful secondary boycott because it involves picketing allegedly "neutral" employers. This is the gist of the Denver Building Trades case decision.

The construction unions have since sought legislative relief through passage of a "situs" picketing bill permitting striking building craftsmen to picket at the job site where they are employed. There can be no doubt of the justice of the building trades unions' position and need for legislative relief so that they can exert effective pressure against their employers in economic disputes.

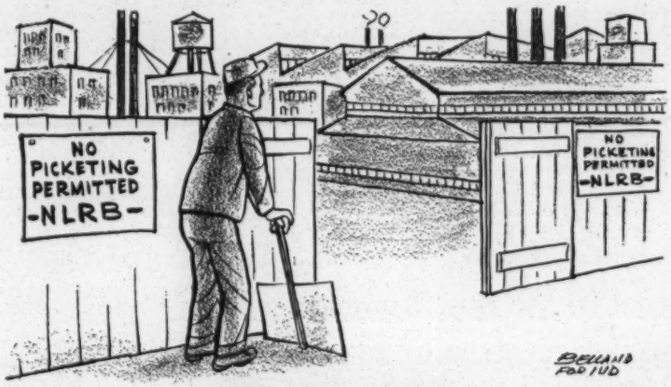
In arguing that they need relief, the building trades unions have charged that the subcontractors are not "neutral" employers. They have taken the position that the various subcontractors are equivalent to factory departments working under common direction toward a common end.

The Industrial Union Department, together with the rest of the labor movement, has strongly supported the building trades unions in their battle for legislative relief from the onerous Denver Building Trades ruling. This support remains firm, but a new dimension has been added.

Today, industrial workers and their unions also are being victimized by rulings based upon the Denver decision.

The National Labor Relations Board has ruled in the General Electric case and other similar cases that industrial workers cannot picket the premises of their employers at gates allegedly set aside for subcontractors. It has ruled—in the Tennessee Coal and Iron case—that industrial workers cannot picket to protest the contracting out of work they have historically performed where a subcontractor is called in to do the job.

Such interpretations may well become endless. They threaten to weaken the ability of industrial unions to represent their members effectively. These rulings can be used to encourage contracting out of maintenance work historically performed by industrial workers. They can be used to permit subcontractors to come into plants, perform parts of the manufacturing operation, and undercut the standards of production workers.



The Open Gate

The Industrial Union Department, in self-defense and in the interests of all labor, has called for equal legislative relief for all affected by the Denver decision. It is continuing to call for relief for building trades craftsmen but is also seeking modification of the law so it cannot be used against the interests of those whom its unions represent. The IUD would be less than honest and forthright should it do otherwise. It is for this reason that it has urged enactment of the Holland bill (H.R. 6409).

IUD Sec.-Treas. Carey has explained in testimony that the Department position is that the Denver Building Trades Rule should be reversed "in toto." He has pointed out that the Thompson bill, supported by the building trades unions, would reverse the Denver ruling so far as construction sites are concerned, but would let the ruling remain to plague industrial unions and industrial workers.

The IUD position is logical, fair, and evenhanded. It seeks only equal treatment and equal protection for all. It is a position taken in the best interests of the labor movement which, after all, cannot afford to tolerate second class citizenship or treatment for any of its parts.

The Home Front

With good reason, the eyes of most Americans are turned toward the international scene. Here, history is being shaped and the next several weeks could be crucial.

At the very least, the tempo of the cold war will be stepped up and the competition between this nation and the Soviet will grow more intense. In this situation, America will neglect the problems of the home front only at her own peril.

The much-heralded recovery here at home is proceeding at a snail's pace. The loud hurrahs that greet a sales pace 20 percent below last year in autos hardly obscure continued high joblessness. The cheers for a 60 or 65 percent output level in steel have a hollow ring.

The fact is that production rose only half of one percent in March, and there is little sign of a significantly higher level. Unemployment persists as a grim reminder that all is not well in the world's wealthiest nation.

Now comes news that the expected recovery pace will be slow, and that by the year's end, this nation might be where it was supposed to be, where it should have been, perhaps two years ago. Meanwhile, another 1.4 million of our youth will enter the labor market when school ends this summer.

There is grave danger that America faces another incomplete recovery, this time with five to seven percent of the labor force unemployed. Such a recovery cannot last long. America, then, faces the coming period of intensified international struggle with prospects of a sagging economy at home.

Joblessness at home is uncalled for and callous. It is time for a bold program of public works, sharp reversal of monetary policy to cut interest rates and, perhaps, a tax cut.

Tax Reforms Should Start At Bottom, Carey Asserts

Tax reform should "start at the bottom," IUD Sec.-Treas. James B. Carey declared following release of President Kennedy's recent tax message to Congress.

The President's message stated that he now is having prepared a comprehensive program of tax reform which he will place before the next session of Congress.

At the same time, the President called for an immediate program of "business incentives" which would give tax credits to firms for investment in new plant and in modernization. The President's tax program would permit firms to offset incentive credits against tax liability. Companies could have up to 30 percent of their tax liability forgiven in any given year. In effect, the program seeks to meet business demands for faster tax write-offs on present plant and equipment.

The tax credit allowances would cost the U. S. Treasury about $1.7 billion annually. To make up for this loss, the President has proposed to close certain tax loopholes, but not including present oil depletion allowance.

One major loophole that would be closed is of key importance to industrial unions, since it would help to prevent U. S. companies from running to foreign nations. This is the tax haven loophole. The President has proposed that profits made by U. S. companies abroad be called home for tax purposes.

The President also proposed to end lush tax-free expense accounts. He urged that interest and dividend income be subjected to the same tax treatment as other income and that it be subjected to a withholding tax at the source.

Carey welcomed the closing of the loopholes listed by the President but stated that industrial labor is "opposed to business incentives which would not help the economy and which, in practice, would chiefly benefit the big corporations."

He added that the beneficiaries of tax reform should be the "low and middle" income families of the United States.

"The best way to get business expansion is to put present unused plant capacity to work and to end unemployment. Further tax incentives for big business will simply increase the pace of automation and layoffs without increasing the market for industry's end products. We are strongly opposed to faster tax write-offs in any shape or disguise," Carey declared.

He noted that there is no shortage of capital for new plant and that over the past five years, industry has spent $170 on new plant while setting aside $102 billion as depreciation reserves and retaining $47 billion more as undivided profits.

"Tax reform should seek to close loopholes and to apply the income made available to those who will use it for better diets, clothing, housing, appliances, and other goods and services required to maintain an American living standard. As a first step, dependency allowances should be raised from the present unrealistic and inadequate $600 a year to at least $700. The results would show up at once in almost every paycheck in the country and almost every retail store," Carey said.

Labor Pledges Aid To Non-Bias Group

Forty-two labor leaders met with the President's Committee on Equal Employment Opportunity early in May to pledge full cooperation in carrying out the Administration's non-discrimination order on federal contract work.

Vice-Pres. Lyndon Johnson, chairman of the committee, and Labor Sec. Arthur Goldberg explained the Administration's policy to the unionists, as they had done at an earlier meeting of businessmen.

President Kennedy created the special committee through an executive order.

I.U.D. BULLETIN

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I. W. Abel, J. A. Beirne, Joseph Curran, Gordon Freeman, A. F. Hartung, Albert J. Hayes, O. A. Knight, Paul L. Phillips, William Pollock, Frank Rosenblum, Louis Stulberg, Arnold Zander

Director of Publications and Public Relations: Oscar Jager

Assistant: Kenneth Young

Rubber Workers Win Wage Gains

The United Rubber Workers has reached agreement with the Firestone Tire & Rubber Co. providing wage increases up to 14.5 cents an hour over a two-year period.

Under the new pact, workers in five tire plants will get an additional 7.5 cents an hour starting June 5, and another seven cents, effective June 11, 1962. Workers in the company's three industrial product plants will receive a 3.5 cents an hour boost this June and an additional four cents in June 1962.

The contract, covering 16,000 Firestone workers, marked the first time that wage increases were not negotiated across the board.

A joint statement issued by the union and company pointed out that costs in non-tire plants may place the company in a non-competitive position and that the URW has a responsibility in protecting job security at both tire and non-tire plants.

Other gains won by the union include: an eighth holiday, extension of SUB payments to cover a maximum of 39 weeks with maximum payments increased by $5, a provision permitting employees with five years of seniority who have been laid off for more than two years to receive a lump sum separation payment, a liberalized vacation plan, and a clause dealing with the problems of automation and job displacement.

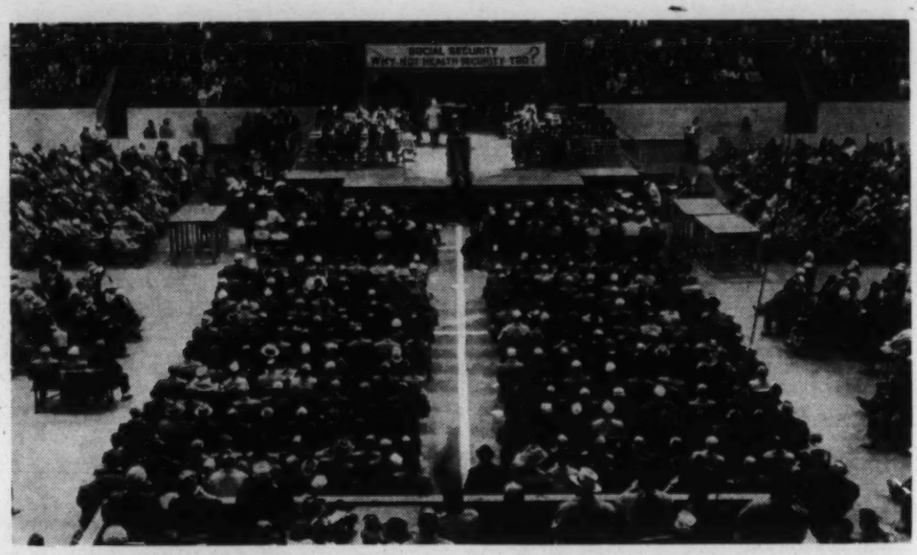
Four days before reaching agreement with Firestone, the union came to terms with Goodyear on non-economic issues. The contract is similar to the Firestone agreement and led to speculation that the URW would reopen wage talks with Goodyear.

While rubber industry contracts have standard expiration dates covering non-wage items, wages traditionally have been opened on 60 days' notice. The industry's last wage increases, amounting to 9.5 cents an hour, went into effect last July.

L-G Hits Employer

The first suit against an employer for violation of Landrum-Griffin has been filed by the Labor Department.

The case involves Olson Rug Co., of Chicago, which failed to report money it spent to hire a detective agency to spy upon activities of the United Textile Workers of America. The civil action named as defendants, W. E. Olson, president, and J. E. Heckle, treasurer, of the rug firm, and Sol D. Gabney, president of Illinois State Detective Agency.



UNEMPLOYMENT RALLY. Wayne County AFL-CIO and United Auto Workers sponsor a mass rally of jobless workers to support organized labor's legislative "Get America Back to Work" program. The rally was first of a series called for by the AFL-CIO Executive Council.

Henderson State Witness Arrested in Shooting Case

When eight members of the Textile Workers were convicted of conspiring to dynamite the struck Harriet-Henderson mills, the chief witness for the State of North Carolina was Harold Aaron. Today, Aaron is under arrest in Virginia on the charge of malicious wounding — an offense that carries a 20-year sentence.

Aaron was arrested near Martinsville after he allegedly shot John Layton Pulliam when Pulliam refused to leave a motel room that was occupied by Aaron and a 17-year old girl. According to police, Aaron had two pistols in his possession.

During the Harriet-Henderson trial, the union claimed that Aaron—a man with a prior police record—had been used by the state as an agent provocateur. At the trial, Aaron admitted receiving money from the State Bureau of Investigation and testified that the defendants hired him as a dynamite expert. No dynamite was ever found in the possession of the defendants.

Despite defense claims of entrapment, the Textile Workers — including Vice-Pres. Boyd Payton — were sentenced to prison terms ranging from two to eight years. At the present time, Payton is teaching school in prison.

Following Aaron's recent arrest, the *Raleigh News and Observer* declared that the latest development "cannot increase the State's confidence in the righteousness of the conviction." It called its editorial: "New Reason for Scrutiny" and stated that in the interest of justice, the case should be reopened.

Gov. Terry Sanford, who took office after the convictions and sentencing, has been quoted as saying that the volume of mail on the case is increasing. He added that in replies to these letters, he has promised to seriously consider all aspects of the case.

Commenting on the Aaron arrest, TWUA Pres. William Pollock asserted that the latest development "should challenge the conscience of North Carolinians to ask whether eight union men without any previous criminal record belong behind bars solely because of testimony of Aaron."

"Our eight officers and members have already served more than five months of their long sentences," Pollock said. "They were behind bars while the State's principal witness was engaged in the disgraceful episode involving a 17-year old girl in a motel room."

Other union officials have compared the lengthy sentences of the "Henderson Eight" to the 30-day jail terms of the electrical industry executives convicted of price-fixing and bid-rigging. They have noted that the union members are serving long terms for allegedly conspiring to dynamite, while the industry executives have already been released after admitting participation in a swindle involving billions of dollars.

PAGINATION INCORRECT

IUD Asks Picketing Rights

The IUD is of the view that the rule of the Denver Building Trades case should be reversed, but that relief should be granted both industrial and craft unions.

The IUD position was pinpointed by Sec.-Treas. James B. Carey in testimony before a subcommittee of the House Labor Committee last month.

IUD testimony followed that of the AFL-CIO, presented by Pres. George Meany in a letter read to the subcommittee on his behalf by AFL-CIO Legislative Dir. Andrew J. Biemiller. The AFL-CIO took the position that relief should be granted to the craft unions by passage of H. R. 2955, the Thompson Bill.

Carey urged passage of H. R. 6409, the Holland bill. This bill would grant both industrial and craft unions the right to picket sites at which they are employed.

He explained that the Denver decision of the Supreme Court found that a secondary boycott existed when employees of a subcontractor picketed a building site at which employees of other subcontractors are employed on different aspects of the same job.

"The Denver case requires union men, working under union conditions, to work side by side on a single construction project with people who are undermining their standards. I believe that union men in the building and construction industry should have the same right that workers in an industrial plant have to regard the standards in every part of the shop as a matter of common concern to all employees of the shop," Carey said.

He added that the IUD is opposed to the rule of the Denver case and would "ordinarily give support to bills now pending before you which relate only to the building and construction industry."

But, he added, because of the "action of the union leadership, or some of it, in this industry," the Industrial Union Department is not now "prepared to give such support."

Carey cited specifically the Tennessee Coal and Iron Case in which members of the United Steelworkers struck after the company contracted out work that they had previously performed. In this case, the building trades unions joined with the company and contractor in filing secondary boycott charges because the work involved was being performed by an allegedly "neutral" employer.

TCI and the contractor dropped their charges after agreement on a division of work was negotiated locally. The building trades unions continued to press charges, which were upheld by the National Labor Relations Board. The D. C. Court of Appeals, where the Building and Construction Trades Department had filed an amicus brief citing the Denver ruling in support of its position, has ruled against the Steelworkers and the case is expected to go to the Supreme Court.

Carey noted in his testimony that in TCI, the building trades are seeking to use the case "as a vehicle to expand the Denver rule so as to prevent industrial unions from taking action to protect their own membership."

The IUD officer further stated that the building trades unions have "mounted a nation-wide campaign in cooperation with the Teamsters' Union to induce all industrial employers to sub-contract their maintenance work. This alliance has distributed brochures widely, telling employers they 'will have no seniority problems'; they will 'have no retirement or costly insurance plans to administer' . . . if they will eliminate their own maintenance employees and contract out their maintenance work. . . ."

He explained that while the question of the right of industrial workers to picket their own employer's premises is now in litigation in several cases, legislative relief is required to prevent further developments of a similar nature.

"It is for this reason, Mr. Chairman, that the Industrial Union Department has adopted the position that it has with regard to the situs picketing bills. The position is simply that any bill passed should reverse the Denver Rule in toto. . . ," Carey declared.

In further testimony, IUD General Counsel David Feller stated that the Labor Board has taken legislation passed in 1947 and construed it in an entirely different manner than intended. He said that if the present law is "applied literally," strikes would be illegal, "since the purpose of strikes is to prevent employers from doing business."

In earlier testimony, Pres. Al Hayes of the International Association of Machinists declared that the Thompson bill should be "tightened" because there is danger that it might be "misinterpreted" to give building trades unions sole bargaining rights at missile bases. He stated the language of the bill should be altered so that picketing at a common site where missiles are built cannot be used against union crews sent by manufacturers to install launching and other equipment at these construction sites.

I. W. Abel, secretary-treasurer of the United Steelworkers, also urged passage of a broad measure such as the Holland bill. Abel cited Taft-Hartley and its history, saying that it was always assumed that the law did not intend to interfere with primary picketing at industrial plants whether to persuade employees of the primary employer or "third party" employees not to cross picket lines.

SITUS PICKETING TESTIMONY. IUD Sec.-Treas. James B. Carey and Dep't General Counsel David Feller testify before House Labor subcommittee studying the need for new situs picketing legislation. IUD spokesmen urged the subcommittee to support a measure introduced by Rep. Elmer Holland (D., Pa.) that would protect all workers from secondary boycott restrictions at common work sites.

Fair Trade Act Defeat Sought

Calling for defeat of the so-called Fair Trade Competitive Practices Act, I. W. Abel, secretary-treasurer of the United Steelworkers of America, has declared that the legislation would "place a strait-jacket over the U. S. pricing system."

Abel's charge was contained in testimony filed with the Special Fair Trade Subcommittee of the Senate Commerce Committee. Abel, a Department vice-president, filed on behalf of the IUD.

The IUD vice-president stated that small merchants are "deluding" themselves if they believe that fair trade laws will protect their interests.

"At best," he said, "they will become the captive outlets of brand-name manufacturers. At worst, they will lose their freedom of action and then find the consumer turning against them to purchase non-brand merchandise—or non-fair traded goods—elsewhere."

Abel charged that the law would, in effect, create monopoly conditions for brand name merchandising, and lead to price-fixing on a grand scale.

"Organizations seeking resale or fair trade laws have been among the most vociferous in combating what they call federal bureaucracy. . . . Some are now fighting legislation intended to protect the public against price gouging and unsafe conditions in the drug field. Yet they would haul before the federal courts merchants who dare sell a hundred aspirin tablets at a nickel less than the manufacturer's resale price," he asserted.

Abel said that fair trade legislation would turn the U. S. consumer completely over to such manufacturers as General Electric and Westinghouse, despite their record of price-fixing. He called the proposed law an invitation to inflation and said that it would add from $1 billion to $10 billion to consumer prices. He also predicted that passage of the law would result "in large-scale price bootlegging in the brand name area."

Power Project Fight

Attempts by private power interests to prevent the nation from getting peaceful benefits of atomic power were set back when the Senate included $95 million to use the heat generated at the Hanford, Wash., atomic energy plant for power. The House, under pressure from the power trusts, had defeated the measure. At present, steam generated from Columbia River water used to cool atomic reactors goes to waste.

WHEELCHAIR ON PICKET LINE. Injuries suffered when strikers were run down by a non-union truck driver fail to keep workers off their picketline. Mrs. Rita Sylvia, in wheelchair, and Mrs. Mary Ross, on crutches, were hit by truck during American Bakery & Confectionery Workers strike against Peter Paul Inc., candy manufacturer.

Old Fears Raised as New Fight for Health Plan Begins

While no bill is expected to be acted upon at this session of the Congress, new House hearings on medical care for the aged got under way recently with a shouting match between HEW Sec. Abraham Ribicoff and Rep. Bruce Alger (R., Tex.), an ultraconservative.

As the *IUD Bulletin* went to press, Department Pres. Walter Reuther, Sec.-Treas. James B. Carey, AFL-CIO Pres. George Meany and IAM Pres. Al Hayes were scheduled to present testimony before the House Ways and Means Committee. As in the past, labor and liberal forces were in complete opposition to organized medicine, the insurance industry, and America's die-hard conservative and reactionary political blocs.

Nothing seems better able to make a conservative lose his bearings than mention of health care for the aged. For some reason unknown, conservatives appear to equate such care through a national health insurance pool with the breakdown of the American way.

Yet, just north of the border in Canada, there now is a national hospitalization plan under which all citizens are provided with such care through national insurance. The Canadian Medical Association announced some time ago that 93 percent of its members are in favor of negotiating an acceptable plan for a national health service and 83 percent said that they consider a tax-supported medical plan either probable, inevitable or imminent. Canadian conservatives have seen no breakdown in that democracy's system of living.

The health plan now being considered is more modest than the Forand Bill, proposed in the 86th Congress. An Administration measure has been proposed by Rep. Cecil King (D., Calif.) which would provide 90 days' hospitalization, 180 days in a nursing home, and health home visits for those over 65 receiving Social Security benefits. This coverage would eventually apply to 95 percent of today's workers and immediately to 14.5 million persons now over 65. In the Senate, a companion bill has been introduced by Sen. Clinton Anderson (D., N. Mex.). Both bills provide that the aged must pay $10 per day for the first nine days of hospital care.

Costs of the plan are to be covered by a one-fourth of one percent additional Social Security tax on worker and employer. Because costs are expected to run slightly higher than originally anticipated, Sec. Ribicoff has proposed that the earnings base to which the tax would apply be raised from the present $4,800 maximum to $5,200.

Alger interrupted Ribicoff's lead-off testimony by shouting that it would be a mistake to add old age health care to Social Security because the system isn't financially sound and would "crash" of its own weight. Ribicoff responded with "righteous wrath," and pointing out that a Social Security Financing Advisory Council appointed by former President Eisenhower had found the system sound.

Coalition Wins On School Aid

The children lost again when the House Rules Committee tabled the $2.5 billion general school aid bill, a college scholarship bill, and the revised National Defense Education Act.

The vote in Rules was eight to seven. Ranged against the bill were the GOP-Dixie coalition who want no aid of any kind and Rep. James Delaney, Brooklyn, (D., N.Y.) who demanded inclusion of aid to parochial and other private schools in the general school bill. All in the minority were Democrats, including two of the Catholic faith.

Limited aid to parochial and other private schools was included in the National Defense Education Act. This would have included long-term, low interest loans for construction of non-religious classrooms, such as those set aside for science, language and mathematics.

The action to table probably means no school bill for at least this session. It has strengthened an already re-emboldened conservative coalition. It was a major victory for Rules Chairman Howard Smith (D., Va.).

When Congress met this year, there was much talk from House liberals about the need to modify the rules to prevent legislation from being bottled up. As a compromise, the Rules Committee was enlarged and as a result some key legislation was speeded through.

The defeat of the school aid bill shows again the need for fundamental reform, such as the 21-day rule under which a bill could be called out of the Rules Committee.

The alternatives now are discharge petition, suspension of the rules, or Calendar Wednesday. The first requires 219 signatures; the second requires a two-thirds majority, and the third requires the consent of all committees alphabetically preceding the Labor and Education Committee and that of the House Speaker.

One aspect of the school bill—aid to federally-impacted areas—may get by in a separate bill. Communities affected by federal installations will be badly hurt if aid is terminated, and even conservatives seem ready to go along on impacted areas as a separate measure.

Meanwhile, Dep't of Commerce projections indicate that over the next two decades school enrollments may rise from 46 million now to 75 million by 1980. By 1965, some 54 million children will probably be enrolled in the nation's elementary and high schools.

NOONTIME DEMONSTRATION. Protesting company violations of their contract, some 1,500 employees of the ITT Federal Laboratories in Nutley, N. J., conduct weekly mass demonstrations before the firm's plant gates. The employees, including both white and blue collar workers, are members of Int'l Union of Electrical Workers Local 400.

Court's Separate Gate Rule Overturns Boycott Charges

Abiding by the Supreme Court's "separate gate" ruling, the National Labor Relations Board has upheld the right of an industrial union to picket a plant gate reserved for "neutral" employees engaged in work normal to the struck plant's operations.

In a case involving the Int'l Union of Electrical Workers and General Electric, the Court had set two criteria that must be met before an industrial union can be found guilty of an illegal secondary boycott.

The Court held that: (1) the "neutral" employees must enter and leave the struck plant by a special gate not used by striking workers; and (2) the "neutral" employees cannot do work that is normal to the struck plant's operations.

With the Court decision serving as a guide, the NLRB overruled a trial examiner's recommendation that the United Steelworkers be found guilty of secondary boycott activities against the New York Central Railroad.

The union had maintained pickets at a railroad gate owned by New York Central and used to service the struck Carrier Corp. The NLRB found that while the gate to the Carrier plant was on a right-of-way owned by the railroad instead of being reserved by the company for the railroad's use, this fact was not material.

A Board majority declared that "the key to the problem," as the Court stated, "is to be found in the type of work being done by those passing through the gate. . . . If this work is related to normal plant operations, the secondary boycott prohibition does not apply."

The Board said that the New York Central was attempting to deliver empty boxcars to the Carrier plant and transport full boxcars from the plant. "It cannot be disputed," the NLRB added, "that the services performed by New York Central . . . were services rendered in connection with the normal operations of Carrier."

An earlier NLRB decision, made prior to the Supreme Court's ruling, has been reversed by the District Court of Appeals, because the Board failed to consider the Court's "separate gate" criterion.

In a case involving Gonzales Chemical Industries, the Board had ordered the Teamsters to cease inducing the employees of an independent contractor to observe a union picketline. The NLRB held that the "neutral" employees were easily identified by the green helmets they wore to work.

The appeals court noted that there may be little difference between separate gates and distinct uniforms as the NLRB had claimed, but declared that "as a legal matter, we cannot deny that a separate gate is a controlling consideration . . ."

AFL-CIO Honored

The American Heritage Foundation has awarded the AFL-CIO an "outstanding citizenship" citation for the Federation's role in getting citizens to register and vote in last year's elections.

Interest Rates Stay High; Put Brake Upon Recovery

So far at least, the Kennedy Administration's moves to bring down interest rates have had little success.

Across the country, mortgage interest rates have dropped only by a quarter of one percent since last fall. With housing construction picking up somewhat, there is little likelihood of further declines unless other steps are soon forthcoming on a broader scale. Interest on conventional mortgages now is reported to average six percent nationwide.

The prime rate—the interest rate charged by metropolitan banks to blue-ribbon borrowers—has gone down slightly from a record five to four and a half percent. This is cold comfort to the average farmer or businessman who is still paying six percent or more for money, or to the consumer who still faces interest charges as high as ever.

States and localities also are continuing to pay high rates for funds needed to finance schools, local facilities, and other construction. This is inhibiting public construction at a time when an expansion of public works is badly required to bolster the economy and provide new jobs.

Total new public construction in April was up 12 percent over March but the rise was less than seasonal. The normal seasonal increase is 18 percent. Much more than a seasonal increase is called for by the turn of economic events.

So far, the Kennedy approach to monetary policy has had two major aspects. The more important has turned around an increase in the amount of credit available. To this end, the Federal Reserve had agreed to purchase long term U. S. bonds in the open market. So far, FRB purchases have been somewhat less than token in magnitude. They have had little effect upon interest rates.

As a secondary approach, the Administration has tried to "talk down" interest rates and Joseph McMurray, new head of the Home Loan Bank, has tried to get loan associations to cut mortgage rates. So far as can be determined, there has been no success.

Democrats on the Joint Congressional Economic Committee have hit the FRB's lack of "vigor" in cooperating in policies to lower long-term interest rates. They have called for more vigorous action including a call—in the name of reciprocal trade—upon European nations to cut tariffs on U. S. goods. They have also called for elimination of the legal requirement that the U. S. Treasury hold gold equal to 25 percent of money in circulation.

Republicans on the Committee have, as expected, warned against "soft-money."

The Kennedy program has called for bringing down "long-term" rates while holding "short-term" interest rates stable. This approach has come out of an adverse balance of payments position—the U. S. owing more than it takes in in international payments. Because of this, the U. S. has faced a drain on its gold reserves.

The U. S. payments position has changed drastically for the better in recent months, and the gold outflow has all but stopped. The U. S. payments deficit now is running at less than $1 billion annually, although Treas. Sec. Dillon still calls the situation "touchy."

Dillon now is bothered because of indications that bank lending rates will again go up in response to the slight upsurge in the economy. He recently told a press conference that there is "no justification" for this, and that it would strike "a very serious blow" to recovery.

With the gold outflow halted, the excuse that "short term" rates must be held up and that therefore "long term" interest rates—mortgages and the like—cannot be reduced no longer holds good.

A vigorous approach to monetary policy would utilize all the tools of the Federal Reserve Board. This would include a further cut in the discount rate which still stands at three percent and which holds up the price of money. It would also require far more than token purchases of long term bonds.

A Congressional inquiry into banking practices may also be in order. In the 1958 recession, it was necessary to lower the discount rate to 1.75 percent before interest rates dropped significantly.

New ILG Contract

The Int'l Ladies Garment Workers has reached a new two-year agreement with New York's coat and suit industry providing wage increases of 14 cents an hour, fringe benefits worth four cents an hour, and increased employer payments to the retirement and welfare fund.

Although contract talks were originally limited to wages, both the union and industry agreed to boost welfare fund payments to bolster declining contributions caused by poor business conditions.

Some 45,000 workers will benefit from the new agreement.

NORRIS CENTENNIAL. National Centennial Conference will be held in Washington during May to mark the birth of the late Sen. George W. Norris. A great conservationist, Norris is known as the father of TVA.

Court Reverses Board Decisions

The Supreme Court has overruled five key National Labor Relations Board decisions, finding—as labor has long charged—that the Board had gone far beyond Congressional intent in its anti-union interpretations of the law.

In a case involving the legality of hiring halls, the NLRB had ruled that contracts cannot provide that unions refer workers to an employer unless there is a specific guarantee of fair treatment for non-union members in the agreement.

The Court held that hiring halls are legal even if these safeguards are not expressed in contract language.

Following its hiring hall decision, the NLRB had held that when such halls are found to be illegal, unions must refund dues to all members. The Court ruled that the Board has no power to make such a move since it was engaging in unauthorized punitive action.

The Board had held that the Int'l Typographical Union could not demand contract clauses calling for a foreman to be a union member and permitting the ITU's General Laws to govern relations with management when they were not in conflict with federal or state statutes. According to the NLRB, these demands were illegal. The Court found that the Board had erred.

In another ITU case, the NLRB ruled that the union could not insist that a foreman who hires workers must be a union member. The Court held that the Board was again exceeding its authority.

In another hiring hall case, the Court found that the NLRB could not decide that the hiring hall *per se* was unlawful.

PAGINATION INCORRECT

Steel Industry Profit Fine Despite Sag in Production

The steel industry did just fine last year despite the recession that began before 1960 was half over.

"Operating at 70 percent of capacity for the third straight year, the industry absorbed two pay hikes, spent nearly $1.5 billion on capital improvement, and earned more than six percent on its investment. All this without a price increase," *Iron Age,* trade publication, commented recently.

A study of the United Steelworkers' research department showed what happened in the industry last year. In only four previous years has the industry made more profit. Of the 28 major companies, only three lost money.

In the third quarter of last year, the industry operated at only 52.5 percent of capacity. It had a net profit of $101.8 million. In the final quarter, the operating rate was 50.4 percent but profits rose to $128.1 million.

By the end of last year, according to the study, one in three steelworkers was jobless. In January of this year, total production and maintenance employment was 366,900 against 533,700 the year previous.

The average steelworker who had a job was on short-time most of last year. In every month from May 1960 through January 1961, weekly hours averaged less than 35.

Total net profits of the top 28 companies in the industry were $772.4 million for last year. The firms had a net worth of over $10 billion. They paid dividends of $496 million.

As of the present time, there is some pick-up in steel as users replenish inventories. The operating rate now is about 65 percent but is not expected to go much higher in the immediate future. At this operating rate, the companies are assured an even better year than in 1960.

Steel employment is not moving ahead with any great speed. The Steelworker study found that as "production picks up there are indications of some increase in employment but there is little prospect of a return to employment levels of a year ago." This has been the story in steel, and in other basic industry, following each post-war recession.

Meanwhile Roger Blough, U. S. Steel chief, has denied that automation is displacing workers from jobs and has attributed falling employment to lack of demand for steel. Blough called for holding down employment costs by ending "restrictions" on the use of technology.

The U. S. Steel head all too obviously was again looking at work rules—the issue in the last steel strike. He seemed again to be calling for speedup in the mills as his answer to the tired old bugaboo of foreign competition.

Blough's talk was delivered at U. S. Steel's annual stockholders' meeting. Earlier, another steel boss, E. F. Martin, president of Bethlehem, had called for price increases to pay for "modernization." Despite industry profits, Martin was once more seeking to blame labor for any price hike. In his first quarter report to stockholders, Martin said that the industry would have to wait until business got a little better before raising prices.

Bethlehem has been operating at higher levels than the rest of the industry. It has booked $534 million in new business for the highest levels since the second quarter of 1959. It now is planning a big program of modernization aimed at improving efficiency.

Such is Bethlehem's poverty that it has announced that it will need no new external financing to meet modernization costs, meaning that it will meet costs from retained profits.

Steel operations, as a percent of capacity, must now be estimated since the industry ceased issuing these statistics. The industry is known, however, to have over 30 percent of capacity standing idle.

Reactor Case Before Court

Late in April, the Supreme Court heard oral argument on the Atomic Energy Commission's issuing of a construction permit for a fast-breeder reactor without first ruling that the reactor would not cause undue risk to the public safety.

The legal question was first raised in August 1956 when three IUD affiliates challenged the right of the Power Reactor Development Corporation to build a reactor in the populous Detroit-Toledo area.

Last June, the U. S. Court of Appeals for the District of Columbia upheld the position of the unions — United Auto Workers, Int'l Union of Electrical Workers, and United Papermakers and Paperworkers. The court ruled that AEC could not issue a construction permit without first finding that the public safety would be protected.

The case went before the Supreme Court when AEC and the power company appealed the lower court ruling.

In their Supreme Court brief, the unions charge that the AEC's Advisory Committee on Reactor Safeguards could not give assurances that the PRDC reactor could be operated without public hazard. Despite this lack of assurance, the AEC granted a provisional construction permit without ruling on the safety question as mandated by law.

Meanwhile construction of the PRDC reactor has neared completion. Originally scheduled for operation in December 1960, the company asked for a 12-month postponement because of flaws in the core design and other problems.

CLASSROOM PROBLEMS. Cravenstown, Tennessee, classroom—in the heart of a depressed area—demonstrates the need of federal aid for education. Despite big business claims, many local communities are unable to cope with their school problems. Union groups have helped provide clothes for the Cravenstown children.

BRIEF OUTLINE OF LABOR LAW DEVELOPMENT

IN THE UNITED STATES

U. S. DEPARTMENT OF LABOR
Bureau of Labor Standards
Division of State Services

Fact Sheet No. 1
May 1962

BRIEF OUTLINE OF LABOR LAW DEVELOPMENT IN THE UNITED STATES

Labor legislation today is that comprehensive body of laws and regulations governing the working conditions of the wage earner and the relationship between the employee and the employer. Such legislation is never static. It reflects the efforts that have grown out of our social and economic conditions, which are continually changing. Labor standards were slow in developing in the United States but advanced steadily during the 19th century. During the 20th century, remarkable developments have taken place in protective legislation for the worker.

Early Developments

The first labor laws to be passed in the United States were child-labor laws. In the early days when the textile industry was starting, manpower was scarce and child labor was cheap. Young children were employed in the mills, usually working from dawn to dark. These children, of course, were getting no schooling. In 1813 Connecticut passed a law requiring mill owners to have the children in their factories taught reading, writing, and arithmetic. In 1836 Massachusetts required children under 15 working in factories to attend school for three months a year. The next step was in 1842, when a maximum 10-hour day was set in Massachusetts for children under 12 and in Connecticut for those under 14. The first State adopting a minimum age by law was Pennsylvania in 1848; this was a 12-year minimum in textile plants. The first law requiring school attendance for non-working as well as working children was passed in Massachusetts in 1852, requiring children between 8 and 14 years of age to attend school 12 weeks a year.

In the meantime agitation was developing for shorter hours. A 10-hour "legal working day" for all workers was set by law in New Hampshire in 1847. In 1852 Ohio enacted a law limiting hours of work for women to 10 a day in a place used for mechanical or manufacturing purposes. However, it was not until 1879 that the first enforceable maximum 10-hour law for women was enacted. This was in the form of an amendment to a Massachusetts law of 1874.

The second half of the 19th century also saw the rise of national organized labor unions--the Knights of Labor in the 1870's and the American Federation of Labor in the 1880's. With

these unions pressing for better working conditions, particularly as to hours of work, came more women's hours and more child-labor laws as well as some hours laws for men. In addition, a few other types of labor laws were making their appearance, such as those requiring guards for machines and those regulating private employment agencies. Significant moves also were the establishment in 1869 of the first bureau of labor statistics--Massachusetts, and 10 years later, also in Massachusetts, provision for a special enforcing agency--i.e., three factory inspectors to enforce the child-labor, safety, and women's hours laws.

About 1900

At the turn of the century, what was the status of labor legislation? Considerable progress had been made.

Twenty-four States, including most of the industrial States, had enacted laws requiring a regular pay day or payment in lawful money, at least in some industries.

About a dozen States required safeguarding of machinery in factories, while around 25 had laws relating to mine safety.

A few States regulated sanitary conditions in factories or in places where industrial homework was done.

Ten States had laws regulating private employment agencies.

The first public employment office had been established in Ohio in 1890; other States were just beginning to follow in 1900.

About 17 States provided for mediation of labor disputes.

Twenty States set a legal limit to the hours of work for women in one or more industries.

Twenty-eight States had child-labor laws, usually setting a 12- or 14-year minimum applying to work in factories or mines.

Some 30 States had compulsory school-attendance laws.

Seventeen States provided inspectors to enforce the laws and some 25 had bureaus of labor statistics.

The First Two Decades

In the first two decades of the 20th century, great strides were made in improving and extending laws already existing in some of the States, and in passing new types of legislation. The most significant accomplishments were the establishment of unified labor departments, the development of administrative rule-making power, the first workmen's compensation and the first minimum-wage laws, and great expansion in women's hours and child-labor laws. In New York a single department of labor was formed in 1901,by consolidating three bureaus formerly separated: statistics, inspection, and mediation and arbitration. Wisconsin in 1911, in unifying its labor functions, devised a new method to make industrial safety legislation workable--granting rule-making authority in this field to its labor commission. Within the next five years, several of the large industrial States expanded the authority of their labor departments to include such administrative powers.

Workmen's compensation laws began in our country in 1908 with an act passed by the Federal Government covering civil employees. In 1911 the first State laws were enacted. Washington and Kansas were the first States to enact such laws, although the Wisconsin law was the first to go into effect. In addition to these three, seven other States passed workmen's compensation laws that year.

The first minimum-wage law for women and minors was passed in 1912 in Massachusetts, with eight other States following her example the following year, and six more, as well as the District of Columbia and one Territory, by 1923.

In 1911 the first law prohibiting the employment of women before and after childbirth was passed in Massachusetts, followed by similar laws in New York and Vermont in 1912. Equal-pay laws--prohibiting discrimination in the rate of pay because of sex--originated at the end of the first World War with the passage of acts in Michigan and Montana (1919). Maximum-hours legislation for women had been enacted by 1920 in 41 States and the District of Columbia.

The first State anti-injunction law came in 1913 in Kansas, followed in 1917 by Utah and Minnesota, and in 1919 by North Dakota, Oregon, Washington, and Wisconsin. A 1911 Wisconsin act amended in 1915, later served as a pattern for our modern laws authorizing systems of voluntary apprenticeship under State supervision.

Many States also adopted or improved child-labor laws. In 1903 alone, comprehensive child-labor laws were passed in 11 States, five of them having had no previous laws whatever on this subject. By 1912 all of the States had some child-labor provisions; in 1913, 31 States amended their laws to set better standards. Two Federal child-labor laws were passed in this period--in 1916 and 1919. Although both were subsequently declared unconstitutional, they influenced Federal legislation in this field during the 'thirties.

During this period, also, the U. S. Department of Labor was established--on March 4, 1913. It included the former Bureau of Labor that had been established in 1884, which had been part of the Department of Commerce and Labor since 1903.

Advances During the 'Thirties

The decade of the 'twenties brought some extension and some strengthening of the existing body of State labor law and its administration, but there was little legislation in new areas. During the 'thirties, however, great advances were made in labor legislation favorable to the worker as a result of the severe hardships brought about by the Nationwide depression.

While up to this time, the States had passed practically all the labor laws in existence, in this decade the Federal Government stepped into the picture with several very important acts. The first was the Norris-LaGuardia Act of 1932, which limited the powers of Federal courts to issue injunctions in labor disputes. This act, also, specifically encouraged the organization of labor unions and the principle of collective bargaining, as did the National Industrial Recovery Act of 1933 (declared unconstitutional in 1935), and the National Labor Relations (Wagner) Act of 1935. The National Labor Relations Act was the first Federal law dealing specifically and entirely with problems of trade-union organization and activities outside of the railroad industry. (The Railway Labor Act had been passed in 1926.) In 1933, the Wagner-Peyser Act was passed, which established the United States Employment Service as a bureau of the U. S. Department of Labor and provided cooperation with the States in the development of a national system of public employment offices.

In 1935, also, the Social Security Act was passed. This law, as amended, provides for an all-Federal system of old-age and survivors' insurances; a Federal-State plan of unemployment insurance; a Federal-State plan of public assistance with monthly cash payments to certain types of needy persons: older persons, dependent children, the blind, and persons who are permanently and totally disabled. In addition, it provides grants to the States for maternal and child-health services, services for crippled children and child-welfare services. As originally enacted, this act also authorized grants-in-aid for additional public health services and vocational rehabilitation. The vocational rehabilitation provisions have been supplanted by the Vocational Rehabilitation Act and the public health provisions by the Public Health Service Act.

In 1936, the Walsh-Healey Public Contracts Act was passed, which sets basic labor standards for work done on United States Government contracts for materials, supplies, and equipment exceeding $10,000. Such standards include minimum-wage provisions, overtime, safety and health requirements, and child-labor provisions.

An act of particular significance in labor standards was the Federal Fair Labor Standards Act of 1938, which applies to employees engaged in interstate commerce or in the production of goods for interstate commerce. It prescribes minimum-wage rates for all employees--whether men, women, or minors; provides for overtime after 40 hours a week (44 during the first year of the act's existence and 42 during the second year); and regulates child labor.

Legislation favorable to the workers flourished also in the States during this decade. Under the impetus of Federal legislation, every State adopted an unemployment insurance law and every State set up State employment services. A few States passed "little Wagner" acts, and many passed laws similar to the Federal anti-injunction law.

Child-labor and school-attendance laws, workmen's compensation laws, industrial homework laws, and industrial safety codes were all greatly strengthened. Connecticut in 1939 re-enacted its minimum-wage law to make it, like the Federal act, applicable to men, as well as to women and minors. Fifteen new laws in the minimum-wage field brought the roster of those with such laws to 28 States, the District of Columbia, and Puerto Rico by 1941.

World War II and Beyond

During World War II, while there were many temporary relaxations of legislation, particularly in the child-labor and women's hours fields, there was no general permanent loss of standards. In fact, two new types of labor laws had their origin about this time.

One of these was legislation to provide benefits for unemployment due to non-work-connected illness, called temporary disability insurance laws. The pioneer State in this field was Rhode Island in 1942. Since then California, New Jersey, and New York have also adopted such laws.

The other new type was the fair employment practice acts designed to eliminate discriminatory employment practices based on race, creed, color, or ancestry. Laws of this type were first passed in New York and New Jersey in 1945. Other States have followed their example.

Minimum-wage laws were passed in five States not previously having such legislation: in Idaho, New Mexico, and Wyoming in 1955, in Vermont in 1957, and in North Carolina in 1959. All of these acts applied to both men and women, and all set statutory minimum-wage rates. In 1955 three new equal-pay laws were passed--in Arkansas, Colorado, and Oregon--and Hawaii, Ohio, and Wyoming adopted such legislation in 1959. In the last few years, also, one-fourth of the jurisdictions have enacted legislation to deal with special health and safety hazards involved in developing atomic energy for peaceful purposes.

A shift in legislative policy occurred in the 'forties in connection with labor-management relations legislation. The trend began in the late 'thirties and reached its peak in 1947 when 30 States passed regulatory measures affecting unions and union activity. These included laws prohibiting or placing restrictions on union-security agreements; regulating picketing, strikes, and the check-off; prohibiting secondary boycotts or jurisdictional disputes; providing for compulsory arbitration of controversies affecting a public utility; and those affecting the internal affairs of unions. While since 1947 a few of these have been repealed, others have been passed, including a few "right-to-work"laws, which are now in effect in 19 States. (One additional State has a right-to-work act, but it is applicable to agricultural laborers and certain processors only.)

In the Federal field, the Wagner Act was replaced by the Labor Management Relations Act of 1947 (the Taft-Hartley Act). Under this law, employment discrimination based on an employee's union membership or activity or his nonmembership or refraining from union activity was prohibited on the part of both employers and labor organizations. The closed shop was banned; the union shop and check-off were permitted under certain conditions. Secondary boycotts, under most circumstances, and jurisdictional strikes were prohibited. A detailed definition of collective bargaining requiring 60-day notice of change or termination of contracts was one of the innovations of this law. The act also provided procedures to cope with strikes affecting the national health or safety.

In 1958, the Welfare and Pension Plans Disclosure Act was passed, which requires administrators of welfare or pension benefit plans to make copies of the description of such plans and their latest annual reports available for examination by any participant, and to file copies of such descriptions and reports with the U. S. Department of Labor. This was followed in 1959 by the enactment of the Labor-Management Reporting and Disclosure Act, the purposes of which are to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations, employers, and labor relations consultants to prevent abuses in the administration of trusteeships by labor organizations, and to provide procedures with respect to the election and removal of officers of labor organizations. It also regulates organizational and recognition picketing, and makes certain other limited amendments to the Labor Management Relations Act. As it affects State legislation, one of its main provisions was to permit the States to regulate labor relations in the former so-called "no-man's land"--those cases that were formerly refused by the Federal Board but forbidden to the States to handle. Thus the jurisdiction of the States has been greatly enhanced.

The Present Picture

Looking back over the last half century, it is evident that much progress has been made in enacting labor legislation favorable to the worker. For instance, today:

> Every jurisdiction has a workmen's compensation law, a child-labor law, an unemployment insurance law, and free employment services.

Minimum-wage legislation is now on the statute books of 33 States, Puerto Rico, and the District of Columbia. Of these, the laws of 15 States and Puerto Rico apply to persons regardless of sex. Wage payment laws are in effect in all but three States, with wage collection provisions included in over one-third of the laws.

As to working conditions for women, forty-three States and the District of Columbia regulate working hours; nearly half establish a 6-day week; over half provide for meal periods and several for rest periods; all but four have laws requiring seating facilities. Twenty-two States now have equal pay laws.

Laws granting general rule-making authority in the field of occupational safety are in effect in 41 jurisdictions and most of these have utilized this authority to a con iderable extent.

Private employment agencies are regulated by law in all but six jurisdictions.

All but five jurisdictions have a State mediation service. Fourteen jurisdictions have State labor relations acts.

Temporary disability insurance laws are in effect in four States.

Fair employment practice acts are in effect in 21 States and Puerto Rico, and laws against discrimination in employment providing for voluntary compliance are in effect in three others. Laws prohibiting discrimination against older workers are in effect in 12 States and Puerto Rico.

Twenty-nine jurisdications have laws setting up apprenticeship programs, while apprenticeship agencies have been established under the supervision of the Governor or the Commissioner of Labor in three others.

Certainly the worker's lot during this time has been immeasurably improved. Yet, as shown above, there are States that have adopted only a few of the protective laws. In addition, of the laws already in existence, many are inadequate. Only a few States have strong coordinated labor departments; few have adequate staff or facilities. Much remains to be done in every field--such as extending coverage so the laws will apply to all workers rather than exempting certain groups; enacting minimum-wage and equal-pay laws in additional States; raising benefits for unemployed and disabled workers; and improving safety practices to cut down occupational accidents.

LABOR LAW JOURNAL

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RWDSO RECORD 3-7-65

7 Win $8,000 After Illegal Firing in Norfolk

NORFOLK, Va.—Illegally fired by the Virginia Tomato Co. in September 1963, seven Local 26 members have received a total of $8,000 in back pay recently through an NLRB trial examiner's decision.

The seven workers are Clarence Little, who received $211; Barbara Ann Lee, $1,238; Robert Franks, $780; Bernice White, $1,766; Julia Robinson, $2,218, Johnnie Linear, $215; and Queen Esther Sandlin, $1,572.

The local organized the shop and won an NLRB election and a first contract in July 1963. While the plant, then owned by the Lewis Tomato Co., was closed down for the summer, it was sold to the Virginia company. When Virginia reopened the plant in September of that year, it refused to rehire any former employees or to bargain with the local, and the union filed unfair labor practice charges.

NLRB trial examiner Samuel M. Singer heard the case and ordered the company to reinstate the seven union members with back pay. Five are now back at Virginia, while the others declined reinstatement.

Eighteen other workers were fired at the same time, but they did not testify at the board hearing, and the examiner said he did not have sufficient evidence to order their reinstatement.

The firm now employs 15 workers, and Local 26 is continuing its re-organizing efforts at the shop.

"I hope that we'll be able to bring it back into the local soon," Pres. Lock Parker said.

Virginia packs tomatoes for sale to retail stores and supermarket chains.

Labor Law

The Machinist
3/11/5

In South Carolina

Labor law

Overtime pay ruling won for Navy workers

The Navy disregarded rights guaranteed under the union contract when it arbitrarily changed the work week of storeroom and warehouse employees at the Charleston, S.C., Naval Shipyard last summer.

That is the ruling of an impartial arbitrator in a work week dispute between the Navy and the AFL-CIO Metal Trades Council of Charleston, Johann D. Bose, financial secretary of IAM Lodge 694, reports.

Lodge 694 is an affiliate of the Council. Bose is chairman of its grievance committee.

The storeroom and warehouse employees worked Monday through Friday, the basic work week agreed upon in a contract negotiated by the Metal Trades Council at the shipyard last May. The Navy also assigned these employees to work Saturday and Sunday but paid them the overtime rate as required under the union contract.

Without consulting the union, the Navy last summer changed the storeroom and warehouse employees' work week so some worked three days on the day shift and two days on the night shift and some had to work Saturdays and Sundays without being paid overtime.

Robert M. Steedley, one of those ordered to work Saturday and Sunday without receiving overtime pay, charged a violation of the union contract. The Metal Trades Council took the case to arbitration, the first such action under the nine-month-old contract.

The Navy tried to claim it has a right to establish any work week any time without consulting the union.

The union showed that the Navy paid supervisors the overtime rate while unfairly requiring other employees to accept regular wage rates for Saturday and Sunday work.

The contract calls for a normal work week extending from Monday through Friday and requires the Navy to consult with the union before changing it, the union pointed out.

The arbitrator, after getting the facts, told the Navy to reinstate the Monday-through-Friday basic work week for store room and warehouse employees and to get together with the union before changing it.

The next move is up to the Navy. Presidential Executive Order 10988, under which the arbitrator made his ruling, directs that such rulings be advisory instead of mandatory. Executive Order 10988 spells out collecting bargaining rights of Federal employees.

Grand Lodge Rep. Desford Smith, Saul S. Stein, recording secretary of the Metal Trades Council, and Bose presented the union's case.

The MACHINIST
4-8-65

Court upsets plant closing, OK's lockout

labor law

In labor decisions last week the U.S. Supreme Court laid down these two principles:

► A multi-plant corporation cannot close one plant to avoid a union if its motive is also to discourage organizing throughout the chain.

Justice Harlan

► Lockouts by employers are legal in certain circumstances if they are not motivated by anti-union bias or other illegal purposes, but have basic economic motives.

The tactic of closing one plant to discourage organizing in the rest of the chain has long been a policy of some big corporations.

The high court ruled out this practice in a unanimous opinion by the seven Justices participating. The decision, written by Justice M. Harlan, came in a famous case involving Darlington Manufacturing Co., Darlington, S.C., part of a 27-plant textile chain.

The company president, Roger Millikin, closed that mill in 1956 after the employees voted for the Textile Workers Union in a National Labor Relations Board election.

The company president, Roger Millikin, closed that mill in 1956 after the employees voted for the Textile Workers Union in a National Labor Relations Board election.

Holding that an employer objecting to a union can go out of business entirely if he wants, the Supreme Court declared:

Partial closing unfair

"A partial closing is an unfair labor practice if innovated by a purpose to chill unionism in any of the remaining plants of a single employer and if the employer may reasonably have seen that such a closing will likely have that effect."

The court sent the case back to the Labor Board for further findings as to the effect of the Darlington, S.C., closing on employees in other plants in the company's chain. The NLRB has held that the company closed the plant to avoid the union. The company argued it was for economic reasons only.

In two decisions involving lockouts the Supreme Court reversed the Labor Board. The Board had held the employers were guilty of an unfair labor practice in each case.

Replacements hired

One involved a Retail Clerks dispute at Carlsbad, N.M., where the Clerks struck one of five grocery stores with which they were bargaining jointly. The other four stores promptly locked out their union employees, hired temporary replacements and kept on operating.

The court called it a legitimate defense against a so-called "whipsaw" strike.

The other lockout case involved the American Shipbuilding Co. and eight unions at four Great Lakes yards. The court held the employer had a right to close down its Chicago and Buffalo yards in 1961 for legitimate economic reasons when negotiations broke down.

The Machinist

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Labor Standards Lag in 'Work' States

19 R-t-W States	Unemployment Insurance Maximum Weekly Benefits (more than $48)	Workmen's Compensation Temporary Total Disability (at least $40 a week)	Minimum Wage Laws	Overtime Pay Laws	Fair Employment Practices Laws	Child Labor (at least 3 of 8 standards met)
Alabama	0	0	0	0	0	0
Arizona	0	▲	▲	0	0	0
Arkansas	0	0	0*	▲	0	0
Florida	0	▲	0	0	0	0
Georgia	0	0	0	0	0	0
Iowa	0	▲	0	0	0	0
Kansas	0	▲	0	0	▲	▲
Mississippi	0	0	0	0	0	0
Nebraska	0	0	0	0	0	0
Nevada	▲	▲	▲	▲	0	0
N. Carolina	0	0	▲	0	0	▲
N. Dakota	0	▲	▲	0	0	0
S. Carolina	0	0	0	0	0	0
S. Dakota	0	0	0**	0	0	0
Tennessee	0	0	0	0	0	▲
Texas	0	0	0	▲	0	0
Utah	0	▲	▲	0	0	▲
Virginia	0	0	0	0	0	▲
Wyoming	0	▲	▲	▲	0	0
Total						
19 R-t-W	1 ▲	8 ▲	6 ▲	4 ▲	1 ▲	5 ▲
32 Other †	15 ▲	28 ▲	23 ▲	17 ▲	22 ▲	18 ▲

Key: 0 means no law or below requirements as indicated. ▲ meets the requirements.

** Statute provides $1.25 per day. ** Statute provides $20 a week. †Includes D.C.*

SOURCE: AFL-CIO

The so-called "Right-to-Work" without a union is just about the only "right" guaranteed by law in the 19 "Right-to-Work" states. The only exception is Nevada.

On laws protecting workers, these states lag far behind the rest of the nation. As the table shows:

► In 18 "Right-to-Work" states unemployment benefits are substandard.

► In 11 "Right-to-Work" states, Workmen's Compensation is inadequate for employees hurt on the job.

► In 13 "Right-to-Work" states, minimum wage laws are meaningless.

Misnamed "Right-to-Work" laws hold back union organizing and bargaining. As a result, labor in those states lacks the strength to win protective laws. Here are the specifics:

Unemployment Insurance—Almost half the states without "Right-to-Work" laws provide benefits of $48 a week or more and 24 of the 32 provide at least $40 a week. Among the 19 "Right-to-Work" states only one meets the $48 a week standard and only six pay $40.

Workmen's Compensation—Nearly all states free of "Right-to-Work" restrictions pay at least $40 a week to a temporarily disabled worker. Less than half the "Right-to-Work" states meet this standard.

Wages & Hours—A good majority of the free states have a minimum wage law calling for at least $1 an hour and a higher rate for overtime. Only a handful of "Right-to-Work" states have such laws.

Fair Employment Practices—Only one "Right-to-Work" state has such a statute. Twenty-two states free from "Right-to-Work" laws have FEPC laws.

Repeal by Congress of Sec. 14(b) of the Taft-Hartley Act would end "Right-to-Work" laws.

4-23-65

So-Called RTW Laws Holding South Back

Carolina Labor News 4/23/65

Low factory wages and so-called "right-to-work" laws go hand in hand. This is borne out by U.S. Labor Dept. figures for 1963, the latest year for which all the facts are available.

While the average hourly factory wage that year for the U.S. as a whole was $2.46, here are the averages in the 15 southern states for the same year (*indicates "right-to-work" state):

1. W. Virginia $2.61
2. Maryland 2.48
3. Louisiana 2.39
4. Texas 2.35*
5. Kentucky 2.34
6. Oklahoma 2.27
7. Alabama 2.11*
8. Florida 2.06*
9. Tennessee 1.96*
10. Virginia 1.96*
11. Georgia 1.83*
12. Arkansas 1.82*
13. S. Carolina 1.71*
14. Mississippi 1.69*
15. N. Carolina 1.68*

You will note that wages in the five southern states free from misnamed "right-to-work" top those in every "right-to-work" state of the South except Texas, the most industrialized.

Even Texas compares poorly with other industrial states, such as California, $2.88; Ohio, $2.83, and Illinois, $2.67. None of these has a "right-to-work" law.

To keep southern states from falling further behind the nation as a whole, labor seeks repeal of Sec. 14(b) of the Taft-Hartley Act. This is the federal law that permits states to enact so-called "right-to-work" statutes.

N

RWDSU Record 5-2-65

NLRB Weighs Charges at Broom Firm

labor law

AUTAUGAVILLE, Ala.—The NLRB will hold a hearing June 1 on the RWDSU's unfair labor practice charges and refusal to bargain charge against the Crystal Lake Broom and Mop Co. The union is asking the board to name it as bargaining agent for the 90 employees without an election.

The charges are based on the company's conduct during an organizing drive at the company last fall and winter. Under a year-old board policy, the Bernel doctrine, if the NLRB finds that both the charges are true and that the company destroyed the union's majority, it may grant the union bargaining rights without an election.

Org. Henry Jenkins is confident of a favorable decision.

The Crystal Lake case has some unusual aspects, even for an anti-union small town in the deep South. Last September, having signed up a majority of the company's employees, the union asked the owner for a meeting to discuss recognition. The management refused. The union then petitioned the NLRB for an election, which was set for Nov. 13.

But long before the election, the company began its anti-union work. It threatened reprisals if the workers voted for the union, threatened to close the plant permanently, and brought in state highway patrolmen to intimidate the workers, most of whom are Negroes. In an atmosphere where a free choice was impossible, the RWDSU lost the election by a 51-31 margin.

When the RWDSU protested the result, the board threw the result out and ordered a second election. But a week before that one, in January, the union asked the board to cancel it because the company was up to its old tricks, again making a free election impossible.

The union has continued to organize among the workers.

"The campaign is holding up and we're still meeting with the people regularly," Jenkins said.

"cont'd." on p. 9.

being pressed by RWDSU locals in three different areas of the country.

Case History No. 1: In Autaugaville, Alabama, a clear majority of the workers at Crystal Lake Broom Works joined the union. The employer then went to work with the particular technique of a Southern employer: There was the usual interrogation of employees, letters with false information about the union, threats to close the plant, etc. But the workers held fast. So state highway patrolmen and sheriff's deputies were thrown into the breach. The highway patrolmen —who are whites—stopped cars going into the plant to intimidate the workers—most of whom are Negroes; checked the licenses of drivers; walked through the plant with the owner. Sheriff's deputies and a co-owner of the plant drove up to a house where a union meeting was being held, ordered the union leader to unlock his car and searched it, then blocked the driveway so that other union supporters could not attend the meeting.

10-16-65

Labor Law - NLRB

3-Point Program:

Steps Urged to Speed Labor Board Justice

Labor South

Detroit—Accelerated procedures to speed the slow pace of justice for victims of unfair labor practices have been proposed by the National Labor Relations Board's principal legal adviser.

The NLRB could take one or all of the following steps to shorten the time lag caused by the mounting pressure of rising caseloads, Solicitor William Feldesman told the Michigan State Bar's labor relations section: AFL-CIO News

- Revive the late Pres. Kennedy's Reorganization Plan No. 5, which would have authorized NLRB trial examiners to issue final decisions and orders in certain "uncomplicated" types of cases, subject to discretionary board review.
- Set up an automatic court review plan under which a board order would be enforced by court decree unless an aggrieved party applied to the court within 30 days for a review of the NLRB's decision. 10/16/65
- Give NLRB regional directors more authority to make final decisions in unfair practice cases, subject to possible review by the board and the courts.

Reorganization Plan No. 5 was killed by the House of Representatives in 1961. Its aim was to enable an injured party to get a quick decision without a "full dress review" in unfair practice cases falling into well-defined areas of policy and law, and involving only uncomplicated issues of fact.

"There is much truth in the maxim 'justice delayed is justice denied,' " Feldesman told the bar association group. "Multiple levels of review . . . are ordinarily superfluous in certain classes of cases, bringing unneeded delay."

The automatic court review plan, as Feldesman saw it, would not solve any problem of delay before the board issued an order but would speed final decisions by cutting down the time between NLRB order and court decree, the solicitor explained.

The proposal to give regional directors more authority in unfair practice cases was made by retired Circuit Court Judge Henry Friendly in the American Bar Association Journal. Feldesman would modify the plan, but urged that it be analyzed and studied.

Friendly wrote in the ABA Journal for August 1965:

"Is it really sensible that if Jim Smith loses his job for a couple of months through discriminatory discharge, he should have to wait several years for the few hundred dollars he needs now? Ought we not think such an unthinkable thought as that of vesting final decision in such minor matters in NLRB regional directors, without review . . .?"

Feldesman said he agrees with Friendly's approach to speedier justice but added that, though Smith's backpay may be a "trifling sum," he has been injured in other respects—"he has been discriminated against, restrained and coerced in his privilege freely to join or not join a union."

But there are other victims, said Feldesman, declaring that "public rights, not the satisfaction of a private claim, are at stake."

Wall Street Jnl. 11/30/65 → Labor Law

Walsh-Healey Act, Passed in Depression To Prop Wages, Shows Little Sign of Life

By JOHN A. GRIMES
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Labor Department officials and some business representatives are tiptoeing about a seemingly lifeless body of labor-management law. Both groups are avoiding any suggestion that it might be dead, yet hardly a breath of life can be detected.

The "corpse" is the Walsh-Healey Public Contracts Act, viewed by many employers as a thorn in their sides ever since it was enacted in 1936. The law empowers the Secretary of Labor to set minimum wages for businesses selling the Government more than $10,000 in goods under a single contract. The law originally aimed largely to combat wage-cutting in Depression days, but many businessmen have long lambasted it as forcing unrealistic and inflationary wage increases.

In all, 121 wage floors have been set under the law, affecting some of the nation's biggest industries. In recent years, the Labor Department announced half a dozen rulings a year. But for nearly two years, no determinations have been issued, and none is in sight. The reason: A pair of damaging court decisions in actions brought by industry groups. One decision apparently barred the Labor Secretary from setting certain wage minimums, and the other in effect opened to the scrutiny of objecting employers some information the Labor Department collected on a confidential basis.

"Don't Stir Things Up"

Yet rather than sounding gleeful victory cries, business opponents of the law are taking care to say little. "We don't want to say it's dead because we might get something in its place that we don't like either," says one. "Let's don't stir things up."

Federal officials hotly retort, for the record, that rumors of Walsh-Healey's demise are greatly exaggerated. Almost any day they assert, it will spring to life again. Union strategists urging a revival contend that even in a rising economy the law can "bolster the lower end of the wage spread" and that in another recession it could help avert outright reductions.

But the law's administrators aren't at all certain how a resurrection can be accomplished. "We have a number of possible new procedures under study," declares Max Schiferl, assistant administrator of the department's wage, hour and public contracts division, "but we aren't ready to discuss them."

Other officials take a dimmer view of prospects for any early revival of Walsh-Healey. "I think the thing has all kinds of problems," says one.

What Do the Words Mean?

The problems plaguing the law are but the latest in its troubled history. Sponsored by then Sen. David I. Walsh and then Rep. Arthur D. Healey, both Democrats from Massachusetts, the act sought to prevent both wage-cutting and a possible breakdown of health, safety and other working conditions below the standards required under the National Recovery Act after it was declared unconstitutional in 1935. Soon after it became law in 1936, Walsh-Healey ran into trouble: The law's mandate that persons employed in making or furnishing goods to the Government will be paid "not less than the minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages for persons employed on similar work or in the particular or similar industries or groups of industries currently operating in the locality" bred numerous business-vs.-Government conflicts as to just what the words meant and how they should be applied.

One of the more recent clashes came in 1962, when the Scientific Apparatus Makers Association and the Electronic Industries Association disputed proposed minimums of $1.35 an hour for the electrical indicating instruments and service test equipment branch of the electronics industry and $1.50 an hour for other branches. These minimums, it was argued, would lead to average hourly wage increases of 6.9 cents and 8.8 cents and would breach the Administration's anti-inflation guidelines based on productivity gains of around 6 cents an hour. But Labor Secretary Wirtz in effect rejected these contentions.

During the years since World War II, issuance of new wage determinations has become increasingly difficult, partly as the result of a 1952 amendment sponsored by Democratic Sen. Fulbright of Arkansas, calling for judicial review of the Labor Secretary's actions under the law. Business has responded by more frequent court tests.

The most recent and most effective challenges have come from machine-tool and electrical manufacturers. In one case, several machine-tool concerns disputed Secretary Wirtz's authority under the law to establish two different minimums for different occupations within the same industry, saying he could set only a single rate. (He made a separate determination of $1.65 an hour for blueprint-machine operators and draftsmen after decreeing a $1.80 minimum for all other workers covered.) A Federal district court ruled against the Secretary, the Government appealed and the appeals court sent the case back to the Labor Department, where it currently rests.

Later Ruling More Damaging

This case apparently confirmed that the Fulbright amendment did effectively provide for judicial review, but a second decision is considered more damaging to continued administration of the law.

Starting in 1961, several motor and generator manufacturers, led by the National Electrical Manufacturers Association, sought to examine Bureau of Labor Statistics data on which the Secretary's wage determination for that industry was based; they claimed there were numerous errors and discrepancies in the Government data.

A Federal court overturned a Labor Department hearing examiner's decision that the manufacturers weren't entitled to view the data, and in a decision that sent chills through the department, a concurring appeals court majority declared: "Ordinarily the Government cannot take action adverse to a citizen, in an administrative decision aimed directly at him or his group, without disclosing the evidence on which it relies."

"New Procedures" Sought

The problems raised by this decision are, it's agreed, more than considerable. Letting employers examine Bureau of Labor Statistics information on which wage determinations are based would "put the BLS out of business," one official contends; the bureau would no longer be able to insure the secrecy of information given to it.

Thus the task of reviving Walsh-Healey is centering on what "new procedures" can be developed to comply with the decision on disclosure. It is a task that appears fraught with problems; the prospect of having to collect wage information under Government subpoena, as a possible substitute, "has caused considerable concern," says one Labor Department official.

Whatever the solution attempted, it's highly likely that any new Walsh-Healey determination issued will immediately be challenged in court. "I anticipate that litigation will continue to haunt this statute," declares one Federal official.

Added to these problems is the opinion among some scholars, and even some of Walsh-Healey's friends, that the law in its present state is incapable of producing the desired results rapidly enough. It's their view that rather than a patchwork repair job of "new procedures," the law needs a full legislative overhaul or else should be shelved.

For their part, union supporters don't want the law shelved, but they do want it to operate more quickly. A prime union criticism is that Walsh-Healey wage rulings take so long to put in effect that the minimums established by the Labor Secretary's orders are perennially outdated.

Herbert C. Morton, a Brookings Institution scholar who has just completed a study of the statute, concludes that it might as well be dead. He finds "the wage determination program has been ineffective" and, even if improved, "doesn't have a high priority today." He reasons that in low-wage industries today, Walsh-Healey wage determinations would be the same or only slightly higher than the general $1.25-an-hour minimum set by the Fair Labor Standards Act.

"Congress could well repeal the act without fearing that in doing so it was discarding a valuable instrument for protecting the welfare of the worker," Mr. Morton declares. He does recommend, however, that the act be kept on the books, if only as a Government statement of principle on wages and working conditions.

12-25-65

Labor Law — PV

Union Organizers Given Equal Time—and Space

An employer who abused his free-speech rights has been ordered by the National Labor Relations Board to give union organizers the right to present their views to workers at meetings on company time and property.

Facilities "customarily used for employe meetings" shall be made available to the union for a one-hour meeting at each of the H. W. Elson Bottling Co.'s two plants in Marquette and Ishpeming, Mich., the board ruled in what it said was an attempt to "recreate the conditions and relationships" formerly existing before Elson management launched an unlawful campaign against the unaffiliated Teamsters Local 328.

Elson employes started their own organizing campaign in May 1964 and then went to Local 328 for information. Within a few days 11 of the 23 workers signed membership applications.

Management, the NLRB reported, then "embarked upon a campaign of coercive speeches," threatened employes with layoffs and curtailed plant operations, and promised wage increases.

As part of its unlawful campaign, the board said, the company called employes into the office one by one to give them an "opportunity" to sign either of two documents—one a notice of withdrawal from the union, the other a disclaimer of interest.

One form or the other was signed by all 12 union applicants and 11 who had not yet joined. Then, said the NLRB, management "put the promised wage and commission increases into effect and rejected the union's bargaining request because all its employes had 'voluntarily' signed."

The board declared it would be an "anomaly" if an employer were barred, as he is, from destroying a union's majority but permitted to prevent such a majority status from ever being attained.

Rejecting the union's request for an order compelling the company to bargain with it, the NLRB instead ordered Elson to mail notices to all workers that it will stop interfering with their rights; grant the union "reasonable" access to its bulletin boards for organizing purposes; and permit the union to hold one employe meeting in each plant. If management complies, the NLRB then will conduct an election upon request by the union, the board ruled.

(AFL-CIO) News Dec. 25, 1965

Employer Ordered To Rehire Brother

AFL-CIO News Dec 25, 1965

An employer violated the Taft-Hartley Act when he fired his brother—a $10,000-a-year man—from his desk job and had him removed as a company director for testifying "unfavorably" in a National Labor Relations Board hearing, an NLRB trial examiner has ruled.

The law protects any person, regardless of his status, who is penalized for testifying in answer to an NLRB subpoena, Examiner Louis Libbin held.

It makes no difference, the examiner wrote, that George Liberman was a 20 percent owner of the Valley Forge Flag Co. in the Reading, Pa., area, and was not a supervisor or production worker when his brother Sidney fired him after George testified at a labor board Sept. 9 and 11, 1964.

The law must be applied, Libbin ruled, even though George Liberman set up the Betsy Ross Flag Co. after being fired by Valley Forge and now competes actively with the firm that fired him.

It may be true, said Libbin, "that George's operation of this competing business may have been brought about by . . . unlawful reprisals against him" but "I do not believe it will effectuate" the law to have as a company director a person who is actively operating a competing business.

Therefore he offered George his choice of remedies:

- Valley Forge shall offer to restore George to his former position and salary if within a reasonable time he divests himself of all connection with the competing firm.
- Valley Forge shall make George whole for any loss of earnings from Jan. 1, 1965, to the date of an offer to reinstate him, plus interest at 6 percent but minus his net earnings during that period.

In either case, Valley Forge must post notices of any NLRB order that later issues.

AFL-CIO News 2/12/66

Affiliates Boost Victory Ratio In NLRB Votes

AFL-CIO unions increased their share of election victories in 1965, the National Labor Relations Board has reported.

Affiliates won 58.6 percent of the elections in which they participated in the first half of 1965, and 57.5 percent in the second half. Their percentage of wins was 55.7 in 1964's latter half, 52.2 in the first half, according to NLRB records.

A report for the last half of 1965 showed that for elections participated in by AFL-CIO unions, there were 109,681 eligible members in units won by affiliates, 4,631 in units won by the ousted Teamsters, 17,037 in units won by other unaffiliated unions, 103,987 where no union was chosen.

The AFL-CIO Executive Council reported at the convention last December in San Francisco that affiliated unions participated in nearly 10,500 NLRB elections in the 23-month period ending May 31, 1965, and won approximately 5,800, or 55.2 percent.

Through such victories, the council said, AFL-CIO unions won bargaining rights for some 425,000 workers.

AFL-CIO News 27/12/66

Court Upholds Union Right to Proof When Company Pleads 'Competition'

Portland, Ore.—An employer who refuses a union request for a wage increase on the ground of competitive disadvantage is obliged to supply proof asked by the union, the 9th U.S. Circuit Court of Appeals has ruled.

The decision, upholding a National Labor Relations order that the Western Wirebound Box Co. here must bargain in good faith with the Woodworkers and Local 3-3, will strengthen the position of union bargainers everywhere, IWA Vice Pres. Ronald F. Roley asserted.

The court in its decision related that, in negotiations beginning May 1, 1962, management had countered the union's proposal for a wage hike of 10 cents an hour with an offer to cut wages —first by 8 cents an hour, then 4 cents—or to keep them unchanged.

Company Pres. Walter W. Green said price-cutting by competitors made wage hikes impractical, but refused information on productivity and production costs asked by the union.

The IWA local struck June 11, 1962, when the firm refused to supply the requested data and offered a wage boost of 2.5 cents an hour only to employes called "enders." The workers stayed out for approximately three years before the strike was finally terminated by stipulation.

The appeals court cited a leading case—NLRB v. Truitt Mfg. Co.—in which the U.S. Supreme Court upheld a labor board bargaining order and said:

"Good faith bargaining necessarily requires that claims made by either bargainer should be honest claims. This is true about an asserted inability to pay an increase in wages. If such an argument is important enough to present in the give and take of bargaining it is important enough to require some sort of proof of its accuracy."

Reasoning of Court

The appeals court judges commented: "We see no reason why, under the same rationale, an employer who insistently asserts that competitive disadvantage precludes him from acquiescing in a union wage demand does not have a like duty to come forward, on request, with some substantiation."

In both cases, the judges ruled, the give and take of collective bargaining is "hampered and rendered ineffectual when an employer mechanically repeats his claim but makes no effort to produce substantiating data."

This kind of conduct, they declared, runs counter to the labor law "which admonishes both employes and employers to 'exert every reasonable effort to make and maintain agreements concerning rates of pay, hours and working conditions.'"

The hallmark of lawfully adequate negotiations is good faith, and "good faith contemplates that both negotiating parties will do what is reasonably possible to reach agreements," the court said.

Negotiations may be at arm's length but "this does not contemplate erection of artificial barriers and resort to patent technicalities to obfuscate the proceedings," it concluded.

Unions in Labor Board Elections Given Right to Roster of Employes

AFL-CIO News 2/12/66

The National Labor Relations Board has adopted a new rule requiring employers to furnish, for union use, names and addresses of employes eligible to vote in any representation election it schedules.

The rule requires management to provide the employe roster within seven days of board action setting an election date.

The unanimous decision of the five-member NLRB was reached Feb. 6 to become effective 30 days later.

The board refused to set aside the results of elections lost by unions which had earlier been denied a list of names and addresses by employers.

The ruling went part way in meeting the request of the AFL-CIO and affiliated unions for improvement in NLRB election rules. The board, however, ruling in two related "captive audience" cases, rejected union requests for a rule requiring equal time for unions to address employes on premises used by an employer to defeat union organizing attempts.

Calling union attention to the new names-and-addresses rule, the board said it should "provide employes with increased opportunity for communication from all sides in pre-election campaigning."

The board therefore deferred reconsideration of other present rules—which do not usually permit

(Continued on Page 7)

Labor Law

NLRB Gives Unions Right to Employe List

(Continued from Page 1)

unions equal time to address workers on company premises—until after the effects of the new rule become known.

The decisions came in these four cases:

- Excelsior Underwear Inc. and Saluda Knitting Inc., where on Dec. 6, 1963, employes at two Saluda, S.C., plants voted 206-35 against representation by the Clothing Workers.
- K. L. Kellogg & Sons, Long Beach, Calif., where workers turned down Operating Engineers Local 3 and Local 12 in a 21-9 mail ballot vote held May 15-28, 1964.
- General Electric Co., Los Angeles, where the vote in an election Aug. 26, 1964, was 31 for the Electrical, Radio & Machine Workers, 39 against.
- McCulloch Corp., Somerset, Ky., where the result in an election June 6, 1963, was 571 for, 656 against the Auto Workers.

In the GE and McCulloch cases, the unions asked for new elections on the ground that the employers had made "captive audience" speeches to employes but denied equal access to union representatives. In Excelsior and Kellogg, the unions asked new elections because the employers had refused their requests for names and addresses of employes eligible to vote.

The board certified the results of three elections and in the McCulloch Corp. case—denied the UAW's request for review of a regional director's decision certifying the results, but set forth the names-and-addresses rule for the future.

The NLRB cited its mandate from Congress to see that elections are conducted fairly. Such elections, it reasoned, should give employes an opportunity to vote "under circumstances that are free not only from interference, restraint or coercion" but also from "other elements that prevent or impede a free and reasoned choice."

The board noted the common requirement that names and addresses of voters shall be posted in political election and in corporate management or proxy contests among stockholders, and specifically cited the Landrum-Griffin Act provision that any candidate for union office is entitled to have the union distribute his campaign statements to all members.

The AFL-CIO had filed a "friend of the court" brief supporting the unions claim for new elections.

Names Needed

As to name-and-address lists, the federation asserted in its brief and in oral argument that "a fair and free election cannot be held when the union lacks names and addresses of employes eligible to vote" and the employer rejects request for them.

Though union organizing committees now spend a third or more of their time trying to run down names and addresses, they ordinarily have finished campaigns lacking almost half the total number, the AFL-CIO reported.

California Union Gain Greatest in 8 Years

San Francisco — California unions scored their greatest gains in eight years between July 1964 and July 1965, adding 47,600 members for an increase of 2.6 percent to 1,871,700, according to official statistics published by the State Dept. of Industrial Relations.

2-18-1966

Labor Law - Organizing

NLRB RULES EMPLOYERS MUST GIVE UNIONS PAYROLL DATA IN ELECTIONS

Carolina Labor News 2/18/66

WASHINGTON—The National Labor Relations Board has adopted a new rule requiring employers to furnish, for union use, names and addresses of employes eligible to vote in any representation election date. The unanimous decision was reached Feb. 6 to become effective 30 days later.

The board refused to set aside the results of elections lost by unions which had earlier been denied names and addresses by employers.

The ruling went part way in meeting the request of the AFL-CIO and affiliated unions for improvement in NLRB election rules. The board, however, ruling in two related "captive audience" cases, rejected union requests for a rule requiring equal time for unions to address employes on premises used by an employer to defeat union organizing attempts.

Calling union attention to the new names-and-addresses rule, the board said it should "provide employes with increased opportunity for communication from all sides in pre-election campaigning."

The board therefore deferred reconsideration of other present board rules, which do not usually permit unions equal time to address workers on company premises, until after the effects of the new rule became known.

The rulings came in four cases:

● Excelsior Underwear, Inc., and Saluda Knitting, Inc., where on Dec. 6, 1963, employes at two Saluda, S.C., plants voted 35-206 against representation by the Clothing Workers.

● K. L. Kellogg & Sons, Long Beach, Calif., where workers turned down Operating Engineers Local 3 and Local 12 in a 21-9 vote (mail ballot) held May 15-28, 1964.

● General Electric Co., Los Angeles, where the vote in an election Aupg. 26, 1964, was 31 for the Electrical, Radio & Machine Workers, 39 against.

● McCulloch Corp., Somerset, Ky., where the result in an election June 6, 1963, was 571 for, 656 against the Auto Workers.

In the GE and McCulloch cases the unions asked for new elections on the ground that the employers had made "captive audience" speeches to employes but denied equal access to union representatives. In Exelsior and Kellogg, the unions asked new elections because the employers had refused their requests for names and addresses of employes eligible to vote.

The board certified the results of three elections and in the McCulloch Corp. case denied the UAW's request for review of a regional director's decision certifying the results, but set forth the names-and-addresses rule for the future.

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2-19-66

NLRB Cancels Election Loss, Cites Anti-Union Campaign by Community

Labor-Law: AFL-CIO News 2/19/66

The National Labor Relations Board, citing an inflammatory anti-union campaign by community leaders in Mississippi's Simpson County, set aside a 1965 election lost by the Intl. Brotherhood of Electrical Workers, and ordered a new vote free of hostile pressures.

The unanimous order upholding IBEW unfair practice charges was issued despite a recent agreement between the union and the company that benefited from the community campaign—the Universal Manufacturing Corp. They signed contract terms Jan. 31 which gave 950 members of IBEW Local 2198 increases of 46 cents an hour and other benefits.

The board set aside the election, held Apr. 23, 1965, on the ground that actions by community leaders, who had backed a $1.2 million bond issue for the company's plant in Mendenhall, Miss., "rendered impossible the rational, uncoerced selection of a bargaining representative." The board directed a second election at a time to be set by its regional director.

An IBEW spokesman said, however, that since recognition has already been granted, an election would be unnecessary and the union would withdraw its charges.

Employe Targets

In its decision the board related that employes of the company, which makes fluorescent light components, had been the target of strongly anti-union newspaper advertising, editorials, cartoons and handbills between Mar. 5 and Apr. 23 last year which:

- Made inflammatory, irrelevant appeals to racial feelings.
- Linked unions, civil rights and communism as parts of a "single pernicious entity" and implied that union dues would reach Communist Party coffers.
- Threatened possible plant closure and blacklisting of union members from other employment in the area.

The board voided the election, lost by a vote of 287-272, because the employes, "faced with pressures of this sort, were inhibited from freely exercising their choice in the election."

The NLRB noted that the only two area newspapers had rejected union advertisements while accepting ads and editorials opposing the union. The ads in one paper were paid for by "Friends and Neighbors of Simpson County" and in the other by the editor, one of a number of business and professional men organized by the company's attorney.

The board found also that the union could not rent suitable meeting places and had to hold meetings near Jackson, Miss., 30 miles away.

Board members disagreed with the regional director's finding that the "specter of communism introduced into the campaign may be condoned" because it appears so often in campaigns that workers can properly evaluate it. Frequent use, the NLRB said, cannot "blunt the explosive emotional impact" of such a theme.

The company plant was opened in 1963 after Simpson County voters approved a $1.2 million bond issue to finance it and leading citizens established the Universal Advisory Board to work with management.

AFL-CIO News 2/26/66

Labor Law

Fortas Leads Strong Dissent:

Court Ruling Opens Unions to Libel Suits

A closely divided Supreme Court ruled that parties to a labor dispute may sue for libel under state laws if they claim that untrue charges were made with malice and caused provable damage.

The 5-4 decision overruled lower court dismissal of a $1 million libel suit brought by an official of the Pinkerton Detective Agency. The suit was against a Detroit local of the unaffiliated United Plant Guard Workers, two union officers and a Pinkerton employe who circulated a leaflet during an organizing campaign.

A federal district judge and the U.S. 6th Circuit Court of Appeals had held that state libel laws did not apply because Congress had given the National Labor Relations Board exclusive jurisdiction to police union representation campaigns.

Justice Tom C. Clark, speaking for the court majority, said the NLRB's concern applies only to the effect of libelous statements on the free choice of workers and provides no redress for "personal injury caused by malicious libel."

Two strong dissents were entered by the minority.

Justice Abe Fortas charged the decision "jeopardizes the measure of stability painstakingly achieved in labor-management relations. It introduces a potentially disruptive device into the comprehensive structure created by Congress for resolving these disputes." He said no libel suit should be allowed in a labor dispute "where the allegedly defamatory statement is confined to matters which are part of the fabric of the dispute."

2 Join Fortas

Fortas was joined in his dissent by Chief Justice Earl Warren and Justice William O. Douglas.

Justice Hugo L. Black, in a separate dissent, said the decision "tosses a monkey wrench into the collective bargaining machinery Congress set up to try to settle labor disputes."

The objective of the National Labor Relations Act, Black stressed, was "to settle disputes—not to aggravate them."

He said it would be "difficult to conceive of an element more certain to create irritations guaranteed to prevent fruitful collective bargaining discussions than the threat or presence of a large monetary judgment gained in a libel suit generating anger and a desire for vengeance."

The court majority acknowledged that it found it "difficult" to draw a line between the area pre-empted by federal labor law and "the traditional concern and responsibility of the state to protect its citizens against defamatory attack."

It noted also that language "commonplace" in labor disputes might be grounds for action under some state laws, without the need to prove specific damage.

The decision sought to meet this problem by declaring:

"We therefore limit the availability of state remedies for libel to those instances in which the complainant can show that the defamatory statements were circulated with malice and caused him damage."

Flaw Noted

It noted that the libel suit brought by the Pinkerton official did not specify the nature of the claimed damages and therefore would not meet the court's criterion. It said the complainant should be given permission to revise his suit if he still wishes the case to go to trial.

The leaflet which touched off the court battle alleged that "Pinkerton guards were robbed of pay increases" and that "Pinkerton managers were lying to us."

The suit was brought by an assistant general manager of the Pinkerton agency, William C. Linn, who claimed that he was one of the managers referred to in the leaflet, and that the statements were "defamatory and untrue."

Previously the agency had filed unfair labor practice charges against the union on the basis of the leaflet, but both the regional director and the NLRB general counsel refused to issue a complaint.

The court majority left open the possibility of reconsideration if the line it sought to draw between state and federal jurisdiction proves through experience to interfere with federal labor policies.

If this should be the case, "the court will be free to reconsider" the issue, the decision noted, since its ruling does not rest on "a constitutional issue, but solely with the degree to which state remedies have been pre-empted" by federal law.

AFL-CIO, NEWS, SEPT 3, 1966

Labor Law - Race

Job Bias Ruling Sustains Charge Brought by Union in Mississippi

The Equal Employment Opportunity Commission has sustained the first complaint ever filed by a union under the equal employment provisions of the Civil Rights Act of 1964. The commission ruled that a Mississippi cottonseed oil firm violated the law in a number of ways, most notably by paying Negro workers inferior wages because of their race.

The Chemical Workers Union, which joined five Negro members in the complaint first filed last December, said the ruling could establish a "yardstick" leading to justice for thousands of workers.

The EEOC report said Planters Manufacturing Co. of Clarksdale, Miss., violated Title VII of the Civil Rights Act by:

- "Maintaining segregated restroom, locker room and drinking facilities.
- "Maintaining a discriminatory wage differential between Negro and white employes who perform essentially the same duties.
- "Excluding Negroes from the job classifications of solvent plant operator, solvent plant trainee and in clerical positions.
- "Maintaining a discriminatory system for awarding paid vacations to its employes based upon race."

Commission investigators also concluded that the company "unlawfully discharged" one of the workers as an act of reprisal for filing complaints with EEOC.

Chemical Workers Pres. Walter L. Mitchell said: "The decision could become a veritable Magna Carta for southern workers. The commission is saying that the lack of a rational wage rate structure at a plant can be evidence, on its face, of racial bias.

"The traditional pattern of discrimination has been to provide different rates of pay for Negroes and whites who perform identical jobs, but to divide jobs into 'white' jobs and 'Negro' jobs and to pay Negro jobs at a lower rate than the skills required would justify.

"The Commission took the commendable step of comparing job skills and ratings on a national basis to determine whether the wage differentials in the Mississippi plant were racially motivated. If the agency continues to apply the same yardstick, it will provide justice to thousands of workers in situations unions have been powerless to remedy through collective bargaining."

The next step in the EEOC procedure will be to attempt to conciliate the differences between Planters and the union.

The Chemical Workers and five members of its Local 795 filed suit in federal court last March 10 when EEOC action on their complaint seemed stalled.

Mitchell said the union intended to continue to press the suit, but would be "willing to meet with the company any time to work out an agreement."

The Chemical Workers won a National Labor Relations Board election to obtain bargaining rights for some 120 Planters workers, but have been unable to gain a contract because, it said, the company insisted on retaining those employment practices the EEOC has now called illegal.

The union is represented in the proceeding by the Washington law firm of Feller and Anker.

EFU - Labor Law

Supreme Court Rules Management Can Sue For Libelous Statements in a Union Drive

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Supreme Court cleared the way for management to sue a union under state law for libelous statements made during a union organizing campaign.

The High Court by a 5-to-4 vote, overturned a lower-court ruling that a libelous statement would constitute an unfair labor practice and therefore, under Federal labor law, would be within the jurisdiction of the National Labor Relations Board and outside the reach of state law.

Justice Clark, writing for the majority, was careful to say that even "the most repulsive speech" made during a labor-management fight is immune from state libel laws "provided it falls short of a deliberate or reckless untruth." However, he added, "it must be emphasized that malicious libel enjoys no Constitutional protection in any context. After all, the labor movement has grown up and must assume ordinary responsibilities. The malicious utterance of defamatory statements in any form cannot be condoned and unions should adopt procedures calculated to prevent such abuses." Unions similarly could bring libel suits against management under the ruling.

In other labor-law actions the Supreme Court:

—Agreed to review a lower-court finding that the NLRB shouldn't have stepped into a labor dispute in which contract grievance procedures hadn't been exhausted.

—Left standing a lower-court ruling that will require many labor-relations consultants to disclose to the Government full lists of their corporate clients.

The Libel Case

The libel case stems from a campaign by the United Plant Guards of America to organize Detroit-area employes of Pinkerton's National Detective Agency, Inc. A Pinkerton official, William C. Linn, brought suit under Michigan law, charging the union had made false and defamatory statements about him. The company also filed an unfair-labor-practice action with the NLRB, charging the union had libeled Mr. Linn. But the NLRB, which can issue a cease-and-desist order but can't award damages, declined to issue a complaint against the union.

A lower court, without considering the merits of Mr. Linn's suit, dismissed it on a finding that the matter was solely within the jurisdiction of the NLRB.

The Supreme Court majority, in reversing the lower court, recognized that union organizing campaigns "frequently are characterized by bitter and extreme charges, counter-charges, unfounded rumors, vituperations, personal accusations and distortions. Both labor and management often speak bluntly and recklessly." Justice Clark's opinion said that the NLRB frequently must consider such statements and "it has allowed wide latitude to the competing parties." The board doesn't censor "propaganda" used in representation elections and will set aside an election only where there has been misrepresentation of material facts, Justice Clark said.

Given the board's limitations, the High Court majority decided that state libel laws are a necessary protection for "the defamed individual."

The case concerning labor grievance procedures that the High Court agreed to review involved a United Auto Workers union contract covering employes at Acme Industrial Co.'s Laflin Street plant in Chicago. The NLRB told the High Court that "innumerable collective bargaining agreements" contain grievance procedures and "all are potentially affected . . . in this case."

The UAW contract at the Acme plant provides that if the company moves any plant equipment to a different location, workers may claim jobs in the new location. It also sets procedures for settling grievances arising from that or other provisions of the contract.

The union in 1964 discovered some machinery was being moved and asked the company why it was being transferred and where it was going. The company declined to supply the information. When the union filed an unfair-labor-practice charge, the NLRB decided the union had a right to the information.

An appeals court, however, rejected the board's decision. The lower court held that the union's request for information should have been resolved through the grievance and arbitration machinery provided in the contract. This is the decision the High Court will review.

The Consultants Case

The Supreme Court, in refusing to review the case involving the labor-relations consultant, thus left standing a lower-court decision defining the scope of the 1959 Labor-Management Reporting and Disclosure Act.

The act was designed to expose to public scrutiny the undercover activities of any unethical consultants to either management or labor. But some consultants have asserted that the Labor Department has administered the law to obtain from them data normally held confidential by the recognized private relationship between lawyers and their clients.

The law requires consultants to report, among other things, agreements with employers and fees received for supplying an employer with information about a union or for talking to employe assemblies about union representation, bargaining or strike matters. Each such agreement must be reported with 30 days and any consultant who files such a report also must file an annual summary report. The law gives the Labor Department authority to prescribe the form of the annual report.

R. D. Douglas, Jr., a North Carolina attorney who represents many employers on labor matters, in 1960 and 1961 filed three "initial" reports when on three occasions he addressed employes on behalf of managements involved in labor disputes. The Labor Department demanded that Mr. Douglas include in his annual reports for those two years not only the three speeches but also the names of all his other clients in each year and the fees received from each.

Mr. Douglas refused and brought a test case questioning the Labor Department's authority to prescribe a form of annual report requiring a listing of all clients and fees. He asserted that Congress had specifically exempted from the 30-day initial reporting requirement consultants' agreements made in the normal course of business to give advice to employers, to represent employers before agencies or courts, or to bargain on behalf of employers.

The Labor Department argued that it could require a complete listing of such clients from any consultant who was required to file an annual report by reason of his reported agreements during a year to address employes on an employer's behalf or to supply information about a union.

A Federal district court, finding "ambiguity" in the law, upheld Mr. Douglas' refusal to disclose all clients. But an appeals court reversed the district court's decision. It was the appeals-court ruling in favor of the Labor Department that the Supreme Court left standing.

Review of Antitrust Suit Against National Steel Set

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — The Supreme Court agreed to review a lower-court dismissal of a Government antitrust suit challenging National Steel Corp.'s 1959 acquisition of Metallic Building Co.

National acquired the stock of Metallic Building through National's subsidiary, Stran-Steel Corp. Both Stran-Steel and Metallic are producers of prefabricated metal buildings.

The Justice Department filed an antitrust suit, charging that the acquisition tended to lessen competition in the prefabricated-building industry in violation of the Clayton Act. But a lower court dismissed the Government's complaint, finding that the Justice Department had failed to prove its case. Now the Justice Department will have another chance.

12-25-66

Five Days Did It: EV - Labor Law

Taste of Jail Induces Employer to Bargain

Bridgeport, Conn.—A five-day confinement in the Fairfield jail here brought a promise from a laundry official that he will bargain in good faith.

Stephen Vazzano, treasurer of the Savoy Laundry, Inc., in suburban Stratford, Conn., was arrested at the plant Dec. 17 and held in jail until 1 p.m. Dec. 21. The order for his commitment was made by a unanimous three-judge panel of the 2nd U.S. Circuit Court of Appeals in New York City, which released him after his agreement to resume bargaining.

The National Labor Relations Board reported that Vazzano subsequently reached agreement on terms and that talks are continuing on backpay owed employes who were discriminated against.

The writ of attachment, believed the first of the kind in a refusal-to-bargain case, was issued on petition of the NLRB, which told the court that Vazzano had refused to bargain in good faith with Teamsters Local 145 or to give it wage data it asked.

The dispute began in 1961, the NLRB said, when Savoy discontinued its wholesale shirt service department without notifying the union. In 1962 the board ruled this an unfair practice and ordered Savoy to rehire the fired workers with backpay, reinstitute the department and bargain in good faith.

Savoy refused to comply and two years later was ordered by the 2d Circuit Court to reinstate the employes and pay lost wages, Bargaining was resumed, but later broken off again.

A year ago the court rejected Savoy's claim that it had no duty to bargain because the union no longer represented a majority of its employes.

Chief Judge J. Edward Lumbard, in an opinion concurred in by Judges Irving R. Kaufman and Leonard P. Moore, said he recognized that the court's order has in effect "compelled the employes to accept a bargaining representative not of their current choice."

But the union will remain as bargaining representative until the court order is finally complied with or until the Teamsters lose bargaining rights, the court said.

AFL-CIO News Dec 25, 1966

1-14-67

FEDERAL MEDIATORS hear former Labor Sec. Arthur J. Goldberg assert that compulsory arbitration is not the way to solve national emergency disputes and that free collective bargaining has worked "reasonably well." Goldberg, now U.S. ambassador to the United Nations, addressed 253 referees of labor-management disputes at a seminar marking the 20th anniversary of the Federal Mediation & Conciliation Service.

Labor Law — T-H

Company Must Give Union Facts On Grievance, High Court Rules

The Supreme Court, reversing the 7th U.S. Circuit Court of Appeals in Chicago, ruled unanimously that an employer is obligated to supply the information a union needs to decide whether to carry a grievance to arbitration.

The case concerned the Acme Industrial Co. of Chicago, which in 1964 refused to give Local 310 of the Auto Workers information it said was necessary to determine whether or not the contract grievance procedure should be followed to arbitration.

The appeals court refused to enforce a National Labor Relations Board order that management should tell the union why and where it was shipping some machinery out of its plant. The judges held that the NLRB could not step in until arbitration had taken place. The Supreme Court disagreed, saying three cases cited by the appeals court as precedents did not fit the facts in the Acme-UAW dispute.

"There can be no question of the general obligation of an employer to provide information . . . needed by the bargaining representative for the proper performance of its duties," said the high court in an opinion written by Justice Potter Stewart.

The duty to bargain "unquestionably extends beyond the period of contract negotiations," the decision continued, "and applies to labor-management relations during the term of an agreement."

"Far from intruding upon the preserve of the arbitrator," the court added, "the board's action was in aid of the arbitral process. Arbitration can function properly only if the grievance procedures leading to it can sift out unmeritorious claims."

Nothing in federal labor law, the court concluded, compels a union to arbitrate without knowing if there is anything to arbitrate.

Transfer Rights

Local 310 had a contract with Acme providing that in the event any equipment was moved to another location, employes affected by the company's decision "may transfer to the new location with full rights and seniority." When management refused to answer questions the union filed 11 grievances which were still pending when the NLRB held hearings on Local 310's charges. Later the board found Acme guilty of refusal to bargain in good faith and ordered it provide the information sought by the union.

In another case, the Supreme Court ruled that the NLRB was justified in deciding that C & C Plywood Corp. should have bargained wth Carpenters Local 2405, Kalispell, Mont., before putting an incentive pay plan into effect.

The 9th Circuit Court declared in 1965 that the NLRB had no jurisdiction to interpret or enforce a contract. It told the board to vacate its order against C & C Plywood and dismiss the complaint "for lack of the board's present jurisdiction" over the dispute.

The high court, in an opinion also

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The high court, in an opinion also written by Justice Stewart, said that "if the board in a case like this had no jurisdiction to consider a collective agreement" prior to a court ruling, labor organizations would "face inordinate delays in obtaining vindication" of their rights.

Time Crucial

"In the labor field, as in few others," the court observed, "time is crucially important in obtaining relief."

In other actions, the Supreme Court agreed to review a 5th U.S. Circuit Court of Appeals decision denying enforcement of an NLRB order against Great Dane Trailers, Inc., and the action of the 10th Circuit Court, Denver, in setting aside a damage award of $37,988 won by the Denver & Rio Grande Western Railroad Co. from the Railroad Trainmen.

The Great Dane case involved company refusal to give vacation pay to members of Boilermakers' Local 26 who struck in 1963 at the company's Savannah, Ga., plant. The NLRB ruled that the refusal tended to discourage union membership. The 5th Circuit Court, New Orleans, disagreed.

The high court refused to review a ruling by the 2d U.S. Circuit Court that Sheridan Creations, Inc., New York, N.Y., committed an unfair labor practice when it withdrew from a multi-employer bargaining unit in 1963 after negotiations had started. The refusal let stand an NLRB ruling that the firm could not withdraw without getting the union's consent.

Unions' Solidarity Wins Three-Month GE Strike

Schenectady, N.Y.—Four unions preserved a united front throughout a three-month strike at the big General Electric Co. plant here and won through to victory simultaneously.

Local 301 of the Electrical, Radio & Machine Workers ratified a contract settlement Dec. 30 but none of its 11,000 members returned to work for 10 days pending settlement of three other contracts.

Four unions downed tools in October when GE management refused to settle disputes over local issues. All returned Jan. 9—the IUE, Plumbers, Technical Engineers, and the unaffiliated Teamsters.

Local 301 said its new pact includes elimination of three planned transition paycuts; elimination of incentive language; job evaluations for 2,000 employes, with "red circle" rates for long-service employes; payment for union representatives for time spent in discussing job reviews with management, and an agreement to hold periodic meetings to discuss general plant problems.

For the Plumbers' local of 350 members, the major issues dealt with work jurisdiction guarantees and seniority protection. The strike was caused by GE management's insistence on weakening these protections, the union said.

All the AFL-CIO unions involved won the economic gains covered by national agreements between GE and an 11-union coalition set up last March. The coalition achieved settlements at all GE locations, but three locals of the Intl. Brotherhood of Electrical Workers remain on strike over local issues at Westinghouse plants.

AFTE Pres. Russell M. Stephens said his union's Local 147 won a "very satisfactory settlement" at the GE Schenectady plant, where 800 members struck Oct. 17. He listed these features:

General wage increases of 4, 3 and 3 percent spread over a 38-month term, additional raises for skilled workers, elimination of merit steps, cost of living raises, more pension benefits and medical care improvements. Management agreed to retain layoff language of the old contract and withdrew its insistence on weakening seniority rights for those on layoff, Stephens said.

The AFTE also achieved a 38-month contract at the GE Pittsfield, Mass., plant. Local 140, with 400 members on strike, improved contract language in many areas which management refused to change until late in December, he reported.

Labor Laws — NLRB

Los Angeles Times
Los Angeles, California
October 29, 1968

U.S. Official Charges Massive Attack on NLRB Is Under Way

Chief Labor Law Administrator Claims the Theme of Campaign Is That Big Unions Have Too Much Power

BY HARRY BERNSTEIN
Times Labor Editor

A massive campaign has been launched to "emasculate the nation's labor laws and the National Labor Relations Board," it was charged here Monday by Arnold Ordman, general counsel of the NLRB.

Ordman, the chief labor law administrator in the U.S., said "the attack on the NLRB is the most intensive made since the basic federal labor laws were first enacted 33 years ago."

In New York, a senior officer of Hill and Knowlton, one of the nation's largest public relations firms, said his company has been hired "for an educational campaign about the imbalance of labor laws by 35 trade associations and about 100 large and small industrial companies."

Participants in the campaign being handled by Hill and Knowlton include the national Chamber of Commerce and the National Assn. of Manufacturers.

Some Proposals Already Made

Some of the associations have already made proposals for changing the NLRB and present labor laws, "but as a group, the recommendations will not be made until early next year," said Stanley Sauerhaft, senior vice president of Hill and Knowlton.

Ordman, here to take part in swearing-in ceremonies for Abraham Siegel as the new NLRB regional director, claimed the "theme of the campaign is that labor has too much power."

Also, he said, those behind the drive "are seeking to push the idea that legislation is needed to either wipe out the NLRB entirely, or weaken it significantly."

"The NLRB is an administrative agency of the government, and we are not geared to fight back against this kind of distorted campaign," he continued.

"We have never taken a position, pro or con, on legislative matters. We simply administer the law under Democratic and Republican administrations, but this campaign is getting out of hand."

Claims Distortion of Fact

Ordman, who has been with the NLRB for 20 years, said, "this campaign distorts or ignores the fact that each year the NLRB resolves about 30,000 potential labor disputes, and the arguments center around 1.3% of our cases which go to court where most of our decisions are upheld."

He centered some of his attack on Reader's Digest article, "Let's Enforce Our Labor Laws Fairly," but said the campaign is far more widespread than the one publication.

"We find some papers and magazines are just picking up this campaign literature and running it as if it were their own," Ordman contended.

Sauerhaft said Hill and Knowlton "was called by the Reader's Digest and we helped them get material for the article (which appeared last August).

"But I assume that the magazine called on many sources for their information. We have arranged meetings with magazine and newspaper editorial boards to discuss the educational program which has actually been going on for about a year," Sauerhaft said.

The campaign started from a study made by three lawyers: Gerard Reilly, former NLRB member; Guy Farmer, former NLRB chairman under President Eisenhower, and a New York attorney, Theodore Iserman.

Study of Laws Made

These three, Sauerhaft said, "did a study of current labor laws, and Hill and Knowlton is just an instrument working for that labor law committee to shed some light on the labor situation.

"Down the road, we expect the committee will recommend changes to rectify the imbalance of power, where the NLRB gives big unions too much power," he said.

"But so far we have had no mass mailings, no advertising campaign, and this effort has been built all out of proportion to its true size."

The agency official declined to say how much money is being spent on the campaign, but insisted "that to say this is the biggest campaign ever launched against any government agency is just way out in the stratosphere."

Ordman said it is "the biggest campaign of its kind I've ever heard of."

Ordman's remarks here were the most direct answer given by the top NLRB official criticisms of the agency. He likened it to the criticisms being made of th Supreme Court.

Some senators and congressmen have discussed criticism of NLRB including Sen. Wayne Morse (D-Ore.), and Rep. Frank Thompson Jr. (D-N.J.).

Thompson, in an address to the House Oct. 7, charged the attacks on the NLRB "expose the existence of a highly organized, subtly conceived and purposefully executed public relations campaign to mislead and incite the public."

He said that "it is on the basis of this campaign that its leaders apparently intend to make an unprecedented frontal assault on the labor laws in the next Congress."

Hearings on the NLRB's power were conducted by a subcommittee of the Senate Judiciary Committee last summer.

At that time, Ordman and others angrily denied charges that the NLRB has shown any "pro-union bias," but Sauerhaft said most witnesses showed there was bias on the part of the NLRB, and that "there are more complaints about the NLRB than about any other government agency."

Los Angeles Times
Los Angeles, California
October 30, 1968

Tax Hike Need Seen for Jobless Insurance

Exclusive to The Times from a Staff Writer

PALM SPRINGS—Congress must soon tackle the need for a bigger payroll tax to support unemployment insurance and employment services, J. Eldred Hill Jr., executive director, Unemployment Benefits Advisors Inc., predicted Tuesday at the 26th annual management conference of the Merchants and Manufacturers Assn.

When the issue is raised, the old cry for complete nationalization of the benefit system will be heard, Hill told 200 executives in the meeting at El Mirador Hotel.

"Even before there was an unemployment insurance system there were those who claimed it should be national in its administration and benefits," Hill reminded. "The four-tenths of 1% federal payroll tax paid by each employer on each employee's wages up to $3,000 has not been bringing in enough for the administrative costs it is supposed to cover when returned to individual states," Hill said. "It's just a matter of time before Congress must turn to the finance question."

Hill added that the shortage is from the federal tax, not from the state tax also paid by employers. Congress must either reduce the program or increase its revenues by raising the tax or increasing the $3,000 annual salary base, he said.

Hill recalled that two years ago Congress refused to put federal standards on benefits. Hill said he hoped federal standards would not be imposed, because, he said, "This is just a short jump to a completely national system."

Another speaker, Edwin Shields Hewitt of Hewitt Associates, Independent Consultants, criticized a management tendency to make discussion of pay scales a "forbidden subject."

He said too much weight is given to "mechanistic approaches" such as comparative wage scales and statistical surveys.

"I suggest a more subjective approach, using such surveys as tools or guides rather than magic formulas," Shields said.

6 WALL STREET JOURNAL
NOV 6 1968

Jobless Spacemen

Engineers, Scientists Lose Jobs as U.S. Try For Moon Nears Climax

The Designing of Equipment Is Largely Done; Many Men Can't Find New Positions

PhD's Wife Takes in Sewing

By PETER H. PRUGH
Staff Reporter of THE WALL STREET JOURNAL

HUNTSVILLE, Ala.—Watching telecasts of the recent launching of the Apollo spacecraft for its 11-day orbit around the earth wasn't much fun for Bruce L. Porter, a 43-year-old engineer who helped design the rocket. "That was my job going up in smoke," he says.

In late September, Mr. Porter lost his $12,400-a-year post at Brown Engineering Co., a subsidiary of Teledyne Inc., because the task of designing equipment for the U.S. space program is largely over; what the U.S. has now could carry astronauts to Mars and back.

After a fruitless search for a job here, Mr. Porter took, at lower pay, a temporary post 800 miles west in Wichita, Kan., a job that probably will last only six months to a year. He had to leave his wife and children behind. "I'd like to stay with my family, because I'm needed," he says, "but so is the income."

What has happened to Mr. Porter, who came to Huntsville five years ago because of the challenge and relatively high pay in space work, is happening to many others in this volatile industry. Even as the U.S. prepares to put three men in orbit around the moon, perhaps next month, hundreds of scientists and engineers in Huntsville, headquarters of the Marshall Space Flight Center, and other space industry communities are losing their jobs or getting out while the getting is good.

The Handwriting on the Wall

Some, like Mr. Porter, lost their jobs because of project completions or slowdowns on certain phases of the space program; others, seeing the handwriting on the wall, just want to get out now. "They'll be making bicycles, toys, refrigerators and TV sets a hell of a long time after we get to the moon," remarks William Breen, operator of a Huntsville employment agency that has recently stepped up its contacts with companies outside the aerospace industry.

The space slowdown is hitting hardest here at Huntsville, a town that grew from 20,000 in the early 1950s to 150,000 now, because much of the rocket design and test work was done here. It is also being felt at Houston, where the flights are controlled, New Orleans, where a big test facility is located, and Cape Kennedy, the launch site.

Boeing Co., for example, is laying off several hundred space workers at New Orleans and Cape Kennedy. Its work force here is down to 3,000 from 4,600 in 1966, and more cuts may be coming, a spokesman says. While some workers will be absorbed in other jobs elsewhere, many will be out of work. Chrysler Corp.'s space division has cut employment at New Orleans to 1,500 from 3,300 in 1965, and most of its 900 employes at the Cape face layoffs or shifts to jobs in other cities.

The drops are reflected in spending by the National Aeronautics and Space Administration, which has cut its outlays to less than $4 billion this fiscal year from $5.9 billion in fiscal 1966.

Will They Come Back?

The exodus is worrying space experts, who fret that a new emphasis on U.S. space efforts or new military needs would leave companies hard pressed to fill the rows of desks being vacated now. "If this industry ever booms again, it's going to be extremely difficult to woo, wine and dine people back," Mr. Breen says.

The engineers and scientists who staked their future in space and are now pounding the pavements are often finding it tough to land even mundane jobs, because of their specialized skills and relatively high pay.

"I've had a turndown from just about every manufacturer I can think of in the country," says Robert J. Schaffer, 42, who lost his $15,600 senior engineer's post at Brown Engineering here in early September. Particularly galling to him has been the fact that despite his high salary and broad experience in engine design, many of the 75 companies rejected his application by form letter, which he feels indicates the companies didn't even seriously look at his qualifications because of the glut of space scientists. One company, he says, even turned him down with the wrong letter—a form letter designed as a rejection for students seeking summer employment.

Mr. Schaffer, his wife and their three young children are living off savings and $44 a week in unemployment compensation. Their assets are rapidly vanishing.

The Chicken Farm Vanishes

He had made a speculative investment in an old chicken farm in California that stands in the path of new apartments, hoping to sell out later at a fancy profit. But then he lost his job, and now he has lost the property. He figures he had more than $20,000 invested in the land, counting taxes, equity and interest, but he couldn't sell it so he just stopped making payments and defaulted on his mortgage. Though he lost $20,000, he was able to cut his monthly expenditures to $600 from $1,100, and that was more important for now.

The family shops for bargains at a variety of supermarkets. To save money, Mr. Schaffer now buys coffee beans at 43 cents a pound and grinds them in a blender; a pound of ground coffee usually costs more than 80 cents. He figures he also saves at least $2.50 a month now by using a cream substitute, instead of real cream, in his coffee.

Mr. Schaffer says that, with his $2,000 in savings, he can go until January without work if necessary. "I'm being drained down to nothing," he says. He says he's willing to work at a lower salary, but no company has even proposed this.

Few persons are able to match their salaries in new jobs. "Salaries have spiraled without reference to true worth," says Marshall Johnson, operator of an engineering employment service in Houston. "Take a guy who has worked for five years with one kind of valve. He's a $14,000-a-year valve expert, but his experience probably doesn't apply in other industries. And his pay is too high for them even if it did."

The lack of demand for exotic experience shows up at Lockheed-Georgia Co., near Atlanta, where engineers are wanted—but for designing jet freighters, not spaceships.

Fred W. Geiger, a 51-year-old physicist, has spent two months in a fruitless search for work after being laid off from his $13,700-a-year research job at Brown Engineering. Companies claim they just don't need a man with his particular talents and experience, Mr. Geiger says. "People keep preaching about education," comments his wife, Lillian, "and here he is with a PhD in physics." He has spent time at home reviewing recent developments in thermodynamics and preparing his house for painting. Mrs. Geiger, who has started to take in some sewing to help meet bills, says: "I worry about him not having something to do."

Mrs. Geiger makes about $30 a week on the sewing work. She says they have stopped dining out and visiting friends. She doesn't go to department stores much anymore either, she says, to avoid being tempted to buy something.

"Out the Door I Went"

Kenneth C. Elkins, another Huntsville resident, has been working on making a four-poster bed for his home these days. In early August, he left his job at Chrysler Corp.'s space division after the company offered him a choice of taking a 10% cut in his $270 weekly pay, smaller insurance benefits and a lower job classification or losing his senior engineering post. "So out the door I went," he says.

Chrysler attempted to deny Mr. Elkins, 37, his unemployment compensation and his severence pay by contending he quit voluntarily. However, the Alabama Department of Industrial Relations has ruled that Mr. Elkins was "justified" in leaving and entitled to compensation because changes were made "in the terms of his employment" that were "substantially unfavorable to him."

Mr. Elkins' search for another job, including possible work outside the aerospace field, has been unsuccessful. The Elkins family, with four children ranging in age from 16 to two months, hopes to remain in Huntsville, but Mr. Elkins says he would move even though it would probably mean taking a $3,000 loss on his house because of the generally glutted condition of the Huntsville real estate market.

The Huntsville office of the Alabama State Employment Service says employment in the area has declined 3,500 in the past year, to 93,100, with most of the drop coming in aerospace and related fields. Unemployment compensation claims by professional people, mostly engineers, are the highest in memory, a spokesman says. Several hundred engineers, scientists and technicians are around Huntsville "just blissfully hoping" for aerospace job openings, says a spokesman for Engineers Unlimited, a local employment agency.

Bad Days in Huntsville

The trend away from aerospace work is having a particular impact on Huntsville, largely because it has been the center for research work on U.S. space and missile programs. The U.S. Army's Redstone Arsenal (headquarters for missile research), NASA's Marshall Center and various space contractors account for more than half of all the employment in the Huntsville area.

Although Huntsville, with an unemployment rate under 3.5%, can hardly be called an economic disaster area, there are soft spots. Partly because of a decline in the number of visitors on aerospace business, Jolly Inns Inc., a local motel chain, has defaulted on its mortgage and faces foreclosure this month.

Several new service stations stand vacant near outlying residential districts as the result of overbuilding during the aerospace boom. The Chamber of Commerce estimates there are some 700 vacant housing units in the area. Housing starts, which hit a 3,000 annual rate several years ago, probably won't reach 700 this year. One space-oriented employment agency expects its revenue this year to fall to $35,000 from $70,000 last year; another has cut its office space in half.

Civic leaders hope that an aggressive campaign to lure diversified industries will ease the space slowdown by creating jobs in unromantic tasks such as making telephones and tires. "You can't build a city on Federal contracts," says Clyde B. Hale, partner in a downtown furniture store.

Plants are currently being constructed here by Barber-Coleman Co.; Automatic Electric Co., a subsidiary of General Telephone & Electronics Corp.; Dunlop Tire & Rubber Corp., and PPG Industries Inc. They are expected to provide 4,600 new jobs, but mostly for rural residents of the area, not unemployed space scientists.

Labor Law - NLRB

CHRISTIAN SCIENCE MONITOR DEC 2 1968

Unions gird for labor-law fight

By Ed Townsend

Labor correspondent of The Christian Science Monitor

New York

Organized labor is girding for a fight next year on Capitol Hill against what it predicts will be "conservative business efforts to weaken labor at the bargaining table."

AFL-CIO is warning its unions that "big business" has a million-dollar campaign under way for federal labor-law changes that would make life more difficult for workers.

A hard fight now appears inevitable in the next Congress. Although there has been no clearly defined shift to the conservative right on the Hill, it is almost certain that the National Labor Relations Board will come under its most concentrated attack since it was created in 1935, under the Wagner Act.

Massed labor forces will be on one side and unusually unified management forces on the other. Thirty-five or more major business groups are working closely together, including the Chamber of Commerce of the United States, the National Association of Manufacturers, the American Retail Federation, and other powerful associations.

Campaign well established

They have the backing of some of the country's most important corporations, including American Telephone & Telegraph, General Motors, General Electric, Ford, Sears, Roebuck, General Dynamics, and Humble Oil.

The business forces have engaged Hill & Knowlton, a public-relations firm, to handle their campaign, and have collected in cash and pledges at least a million dollars—for a start.

The industry campaign isn't by any means a new one, an aftermath of the recent presidential election — although the business ranks include powerful backers of the Republicans' successful candidate, Richard M. Nixon, and liberal contributors to the GOP's political funds.

First plans for the industry legislative efforts were laid at least two years ago, quietly and on a small scale at first. They have been out in the open, and gathering support in all parts of the country, since last March, when first proposals were circulated.

Industry's timetable for action was set then for early 1969—regardless of whether a Democrat or a Republican was in the White House or of whether November congressional voting had changed the composition of the Senate and House.

Philosophy called outdated

The management position is that NLRB "has ignored the intent of Congress and time and again fashioned law according to the notion of board members." Industry contends that "equality in the labor-management equation . . . has been maladjusted through decisions weighed heavily on the side of labor."

It complains that the board's philosophy "seems to remain geared to conditions in the mid-'30's [when unions were weak and workers sparsely organized] while these are the late '60's."

"The great power achieved by organized labor makes most inappropriate the continuing practice of the agency to further enhance union power, all too often at the expense of individual employee freedom," says a statement being circulated by NAM.

A panel of the Senate Judiciary Committee—labeled the Subcommittee on Separation of Powers—held hearings earlier this year on NLRB, during which Sen. Sam J. Ervin Jr. (D) of North Carolina, Sen. Robert P. Griffin (R) of Michigan, and others took the board to task for "policymaking. . . . Not a function that can be performed properly by a small group of appointed officials, no matter how able or well-intentioned."

Senator Ervin has been one of the severest critics of NLRB and Senator Griffin was one of the authors of the Landrum-Griffin labor-reform law that, he complains, has been "frustrated and even nullified" by NLRB decisions.

What industry proposes as changes won't be made public until early next year, although it's certain that most proposals will seek reversals of NLRB decisions in free speech, management rights, and other controversial areas, and will try to define more clearly the equal rights that employers are entitled to under the law.

The management coalition also wants the present law revised to leave no loopholes in provisions for government neutrality in labor relations—including the elimination of the word "encourage" from a provision that now says that it is the policy of the government to "encourage the practice and procedure of collective bargaining."

Union action expected

Management takes the position that NLRB's broad interpretations of what is open to bargaining and the scale of negotiations must be narrowed in the public interest. This is particularly directed now against NLRB's apparent sanction of coalition bargaining—joint negotiations by unions that deal with a single employer or group of employers in an industry. But employers have long felt that NLRB has opened bargaining floodgates to matters that should have no place in contract negotiations.

Recent meetings of the industry steering group have reaffirmed the early 1969 timing of the formal campaign. Position papers have been prepared, along with supplementary "educational" material. Bids for broad public support will be started in January.

Meanwhile, AFL-CIO probably will announce mid-December its plans for a counteroffensive against business "union-smashing" legislative plans.

The federation's executive council has been called to meet in Washington next month, with this on its agenda. But AFL-CIO and its unions used the possible threat of antilabor legislation in 1969 as ammunition against the Republicans—and Independent George Wallace—in the recent election campaign, although AFL-CIO had decided to hold off its "controversial" attack on business-oriented legislative proposals until after the Nov. 5 voting.

A badly timed statement by an industry spokesman brought labor's first big barrage—and undoubtedly helped labor shore up its campaign for last-minute support for Vice-President Hubert H. Humphrey and Democratic congressional candidates.

Challenged by Meany

Peter J. Pestillo, labor-relations director for the Chamber of Commerce of the United

(cont'd on p. 6)

CHICAGO TRIBUNE NOV 28 1968

CITE FAILURES IN ON-THE-JOB TRAINING PLAN

BY ALDO BECKMAN

[Chicago Tribune Press Service]

Washington, Nov. 27—A number of Los Angeles firms, which accepted federal funds for on-the-job training programs, failed to enlist any additional trainees after they got the money, an investigative report revealed today.

A number of such contracts "served primarily to reimburse the private employers for OJT of the same type they apparently would have initiated and carried out without the government's financial assistance," said a report, released today by the general accounting office.

Bring in New People

The report called on the department of labor, which administers the program, to "place increased emphasis on developing OJT contracts which will induce new or additional training efforts by private employers and which will bring into the labor force persons who are otherwise likely to remain unemployed or underemployed."

Such a change, said the report, would help reach the greatest possible number of "disadvantaged, hard-core unemployed and underemployed persons."

The programs under investigation have provided private employers with 1.8 billion dollars for training activities since 1964, under the manpower development and training act.

The controler general's report to congress said the GAO selected the Los Angeles area for review since 8.9 million dollars in federal funds have been funneled there for training purposes in the three fiscal years ending on July 1, 1967.

The report said that sufficient standards and guidelines were not established by the department of labor, resulting in some variance of programs, even tho the training provided by each of several employers was for essentially the same skills or occupations.

It said that firms, awarded federal contracts, should be compelled to train additional persons, over and above what they would have trained on their own.

$500,000 to Widen Prison Job Classes

State Labor Commissioner Sam Caldwell said Monday that job training in Georgia's prison system will be expanded with an additional $500,000 grant from the federal government.

The funds, said Caldwell, will be used to instruct 300 to 400 prisoners in business and industrial skills. The program, scheduled to begin next month is being made available under provision of the Manpower Training and Development Act.

The training will be canducted for 24 to 52 weeks by the State Labor department and the Division of Vocational Education of the State Department of Education.

The training will be conducted progress at state prison facilities in Buford and Reidsville, and classes will begin in January under a previous allocation at the Lee County and Lowndes County prison branches.

Caldwell said the additional commitment for $500,000 may permit extension of training to other facilities.

The skill training program was launched in Georgia prisons in October 1967 with approximately $100,000. Ninety-four inmates at the Georgia Training and Development Center at Buford were enrolled in the initial program. The 58 trainees who have been released were given jobs as soon as they left prison, Caldwell said, and the other 36 are due for release soon with job commitments awaiting them.

The second federal grant—$300,000—was secured early this year to finance training of 214 inmates at the Reidsville, Lee County and Lowndes County branches.

The training program is planned, Caldwell explained, so graduation will coincide with the prisoner's release date.

Participants in the program receive $5 per week, with $2 going to the individuals and $3 placed in a savings account until their release.

Noting that Georgia's prison population is the fourth largest in the nation, Caldwell commented, "With 87 per cent of Georgia inmates classified as common laborers, the prison population is a vast untapped reservoir of manpower.

"There is no better time to administer skill training than when these men are immobile and thinking about building a better life when they are released."

NEW YORK TIMES

DEC 1 1968

A.M.A. WILL ADMIT NEGRO PHYSICIANS

Delegates to Rewrite Bylaws —May Act on Osteopaths

By RICHARD D. LYONS

Special to The New York Times

BAL HARBOUR, Fla., Nov. 30—Ending racial discrimination among physicians and the integrating of doctors of osteopathy with doctors of medicine will be the main business facing delegates to the American Medical Association's 22d annual clinical convention, which opens tomorrow.

The association's policy-making House of Delegates is committed to rewriting the association's bylaws so as to prohibit the denial of membership to Negro physicians. A system of enforcement will also to be set up.

In addition, the convention will consider opening A.M.A. membership to doctors of osteopathy, a group of medical professionals who are physicians and surgeons who rereceive their training in schools of osteopathy ratherr than schools of medicine.

Should both measurers be approved by the 242-member House of Delegates meeting here in the Americana Hotel, the effect would be to open the American health structure more widely to participation by about 20,000 osteopaths and Negro medical physicians.

The right to practice medicine in many hospitals and to take graduate courses is now denied to many of them.

At the A.M.A.'s national convention last June in San Francisco, the House of Delegates passed a resolution that not only called for the ending of association bylaws to forbid racial discrimination, but also put teeth in the change.

Many of the nation's 7,000 Negro doctors have been denied membership in local medical societies, mainly in Southern states. Without such membership almost all of these doctors are not allowed to practice medicine in local hospitals, unless they own or run the institutions.

Even though these Negro physicians may be licensed in their home states, they may not admit their patients to local hospitals, or treat them in the institutions since medical society membership is a prerequisite to what are termed "house privileges," that is the right of doctors to practice in a particular hospital.

The resolution on dscrimination, drafted by a House of Delegates committee, is to be acted upon next week. It states that "membership in the American Medical Association or in any of its constituent associations shall not be denied or abridged on account of color, creed, race, religion or ethnic origin."

Punishment Possible

But more importantly, a further change states that if an applicant is denied membership and if the A.M.A. feels that he has ben discriminated against that the association "shall admonish, censure or, in the event of repeated violations, recommend to the House of Delegates, that the state association involved be declared to be no longer a constituent member of the American Medical Association."

Members of several state delegations here appear to be dissatisfied with the wording of the changes and they may attempt to either toughen or soften the contents.

Regarding the osteopaths, the Maryland delegation here will introduce a resolution stating that "qaulified doctors of osteopathy may be admitted to full active membership in the A.M.A.," a proposal the association has been wrangling over for most of this decade.

A generation ago, doctors of medicine regarded osteopaths as semiprofessionals, but this attitude has been changing as schools of osteopathy have tightened admissions and teaching requirements.

M.D.'s and D.O.'s in Federal service are treated about equally.

The House of Delegates was authorized last year to negotiate the conversion of schools of osteopathy to schools of medicine. The integration of osteopaths into the A. M. A. would open to them graduate training programs such as internships and residencies in many more institutions than osteopathic hospitals.

Even if the House of Delegates approves the resolution, the integration of D.O.'s and M.D.'s would not occur overnight. The American Osteopathic Association which represents the nation's 16,000 D.O.'s has stated that it wants to retain osteopathy as a separate entity and thwart a takeover of the smaller organization by the 216,000-member A.M.A.

About 4,500 A.M.A. members are expected to attend this convention to hear scientific reports, take part in post-graduate courses and view medical exhibitions.

LABOR-LAW FIGHT
(continued)

States, confirmed to a Los Angeles reporter a few days before the election that business planned a broad legislative campaign based on a study of labor laws by three attorneys, Gerard Reilly and Guy Farmer, both former NLRB members, and Theodore Iserman. He said that the campaign would seek changes "to rectify the imbalance of power" that now exists.

George Meany, AFL-CIO's president, hurriedly bought radio-network time nationally to call attention to the Pestillo statement as an admission that "a big business plot [exists] to destroy the labor movement in the next session of Congress," through unified efforts "to destroy the National Labor Relations Act as we know it."

During the weekend before the nation voted, Mr. Meany and other labor leaders used every means open to them to warn that industry was seeking to limit bargaining, place curbs on strikes, picketing, boycotts, and other traditional labor devices, and strengthen management's position in resisting union organizing.

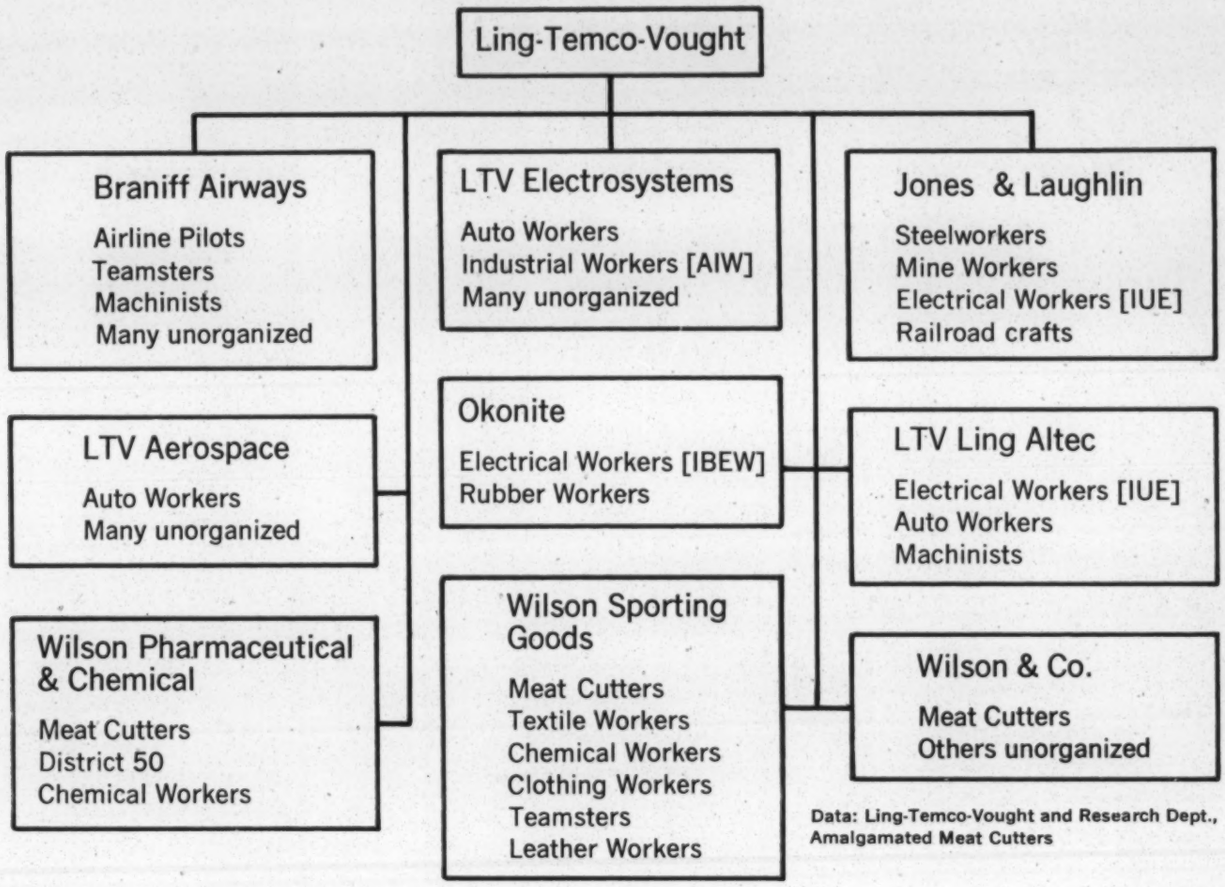
Arnold Ordman, general counsel of NLRB, also has described the current attack on the board as "the most intensive since federal labor laws were first enacted 33 years ago."

Frank W. McCulloch, chairman of NLRB, also has called attacks on NLRB "exaggerated, misleading, or based on carefully selected lists of cases and misinterpretations of board and court decisions."

5-17-69

Labor Law

Union profile of one conglomerate



Data: Ling-Temco-Vought and Research Dept., Amalgamated Meat Cutters

LABOR

Do mergers need a union label?

NLRB is trying to decide if a labor contract negotiated before a merger is binding afterward. Conglomerates, confronting many unions, find problem particularly complex

When a company changes hands, is the new owner bound by the union contract its predecessor signed? The question has become an acute one because of the onrushing boom in corporate mergers: Now a major showdown is under way before the National Labor Relations Board.

As mergers multiply (current estimated rate: 4,000 a year), they are sending reverberations through labor-management relations. First, they helped foster labor's controversial strategy of coalition bargaining. Then, merger deals were followed by an increasing number of flash-point confrontations between successor employers and incumbent unions, battling over contracts negotiated in premerger days.

Usually the unions want to maintain the existing agreement—perhaps in order to hold on to captured terrain. But for a conglomerate, the labor agreement of a newly acquired company can complicate life seriously. As in the case of Ling-Temco-Vought, Inc. (chart), each merger or acquisition may add to the list of unions a conglomerate's affiliates must deal with, and to the kind of contracts in effect throughout a merger empire.

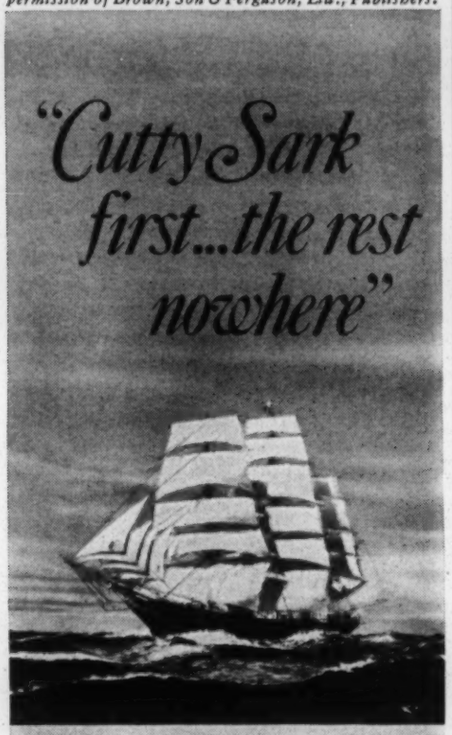
All sorts of policy interactions must be appraised. Even where the newly acquired company has bargaining autonomy, the issue keeps its cutting edge: The policies and profits of the entire conglomerate are inevitably affected by whatever happens in each operating unit.

Impact. The five-member board fully realizes that powerful precedents are about to be set. It recently examined the successorship question at oral hearings—a technique it employs only for its most important problems—and a raft of witnesses on both sides clearly indicated the impact the NLRB's decision would have on the corporate merger movement.

Four test cases are before the board, all involving the new ownership of a unionized company or plant. The cases differ in many ways, but through them all runs a battle over whether the NLRB has the authority to order a new employer and a union to abide by the existing contract—or whether a change in ownership means the contract term can be abrogated.

Collision. At the hearings, opposing lineups of witnesses came mostly from labor and management. But key testimony also was given by Bernard Cushman, rep-

Text from "The Log of the Cutty Sark" reprinted with permission of Brown, Son & Ferguson, Ltd., Publishers.



CUTTY'S Log records victory after victory. Of all the magnificent ships of the clipper fleet, she alone earned the right to be called Number One. The best.

That proud tradition is carried on by the Scotch that took her name. Cutty Sark is America's best-selling Scotch. The reason: Cutty's consistently distinguished taste. The taste to be savored. The taste of exceptional Scotch.

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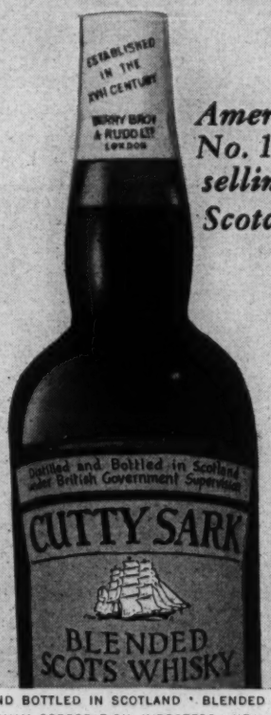

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resenting the NLRB general counsel—an officer independent of the board.

Cushman urged the NLRB to adopt a policy requiring the new owner to take over the existing labor agreement intact. "In our view," he said, "a successor stands in the shoes of the predecessor and is bound by the same contract."

He noted that contracts have long been considered a means of avoiding industrial strife, and he pointed to federal policies to "promote stabilization." The same principles apply to the present situation, he said. This is why a successor must be bound by the existing contract "if industrial peace is to be fostered." He also cited the Supreme Court's ruling in the so-called Wiley case: It held a successor employer was bound by an existing union contract that provided for arbitration of grievances.

But the Chamber of Commerce disputed the contention that the board had the authority to require the parties to be bound by the existing agreement.

"For the board to go so far as to hold an employer bound in any degree by a contract to which he had not consented would not only be unprecedented but would be in flat contravention of statutory restraints on the board's powers," the Chamber said.

To a decision. Attorneys for the AFL-CIO echoed Cushman's position. "The magnitude of the merger movement and its potential impact on stable labor relations," said one federation witness, "make it plain that the time is ripe for the board to follow the lead of the Supreme Court's opinion in Wiley."

And a United Auto Workers brief said labor contracts should "run with the business." This, said the UAW, would mean that anyone purchasing a new business will "automatically concern himself with the pre-existing negotiations leading up to the purchase and thereby will, by purchasing the concern, 'consent' to the labor agreement."

The board indicated it would look at a variety of alternatives before reaching its decision. For instance, it sought opinions from the parties on whether all or part of the existing contract should remain in force between the union and the new owner. Particularly, it asked whether the parties should be required to adhere to such contract provisions as a union-security clause, a no-strike clause, a pension plan agreement, or a dues check-off.

USW moves to police District 15

Parent union sets up a virtual administratorship to curb what appears to be political manipulations within the region

Internal politics continues to roil the United Steelworkers, once one of the country's most tightly administered, disciplined unions. As a result of District 15's bitterly fought election of a director for the Monongahela Valley and Johnstown area, the union's executive board took the rare step—for USW—of establishing a virtual administratorship over the 65,000-member district near Pittsburgh.

The ferment isn't unique in the steel union: It's true in other unions—including the United Auto Workers—whose leaders have long been considered invulnerable. It reflects today's general restlessness and the guaranteed right of dissent given in labor laws.

In USW, it also reflects increased intra-union politics since I. W. Abel, president, just reelected, first won power in 1965. The successful revolt against David J. McDonald has spurred other challenges to established leadership.

Now the Abel forces are tightening their grip, less to end dissent—although that is a factor—than to end what appear to be glaring political manipulations within District 15 and to show that USW can police its own ranks.

District 15 has for years had a reputation for "unsavory politics," as one union source puts it. There have been frequent charges of election irregularities and "improper" voting practices. For top officers, the last straw was a strong charge that 1,000 ballots were switched during tabulation of votes for international and district officers in February.

Last month, USW's election officials declared Joseph Odorcich, a District 15 staffman, the official winner over incumbent director Paul M. Hilbert by 522 votes. Two weeks ago, however, USW's executive board overruled the tellers in a surprise move. It invalidated votes cast at McKeesport Local 1408 for "irregularities," thus awarding the election to Hilbert by 72 votes.

Hilbert, first elected in 1957 as a dues protester, immediately resigned, and the board appointed Lester H. Thornton as "temporary director."

Odorcich, incensed at the sudden change in his fortunes, threatened to file suit against USW. The board's action, he charged, was "undemocratic." In return, the union said it might have to take action against him. Dozens of District 15 local officers and rank-and-filers, angered by the action, demonstrated at USW's Pittsburgh offices. Thornton may have a tough time restoring order. **End**

AFL-CIO NEWS 10-4-69

Unions Win 16 of 22 Supreme Court Cases

Atlantic City—Labor won 75 percent of its cases before the Supreme Court during the last two years for a "highly successful" legal record, the AFL-CIO Executive Council said.

The council report dealt with 22 labor cases which reached the Supreme Court since the last convention—a period covering the final two court terms under Chief Justice Earl Warren. In 16 of these cases, labor's arguments prevailed.

Many of the cases dealt with constitutional issues and the council report discussed five of them, including three that it termed "major."

In Food Employees Local 590 v. Logan Valley Plaza, Pennsylvania courts ruled that peaceful picketing on shopping center sidewalks could be barred as an illegal trespass on private property, and the union appealed. The Supreme Court reversed the decision in a 6-3 vote.

Justice Marshall wrote an opinion concluding that state laws on the places at which picketing may be carried on are subject to the same constitutional freedom of speech standards historically applied to handbilling cases. Five other justices agreed, in a decision which the council said was "plainly of the greatest practical importance" for unions faced with the usual "formidable difficulties" in carrying on organizing campaigns.

In United Mine Workers v. Illinois Bar Association, the organized bar complained that the UMW engaged in the unauthorized practice of law by hiring a licensed attorney, on a salaried basis, to represent any member who wanted his advice in workmen's compensation claims. The Illinois courts rejected the union's claim that the plan was protected by the 1st Amendment. The Supreme Court reversed, with Justice Harlan dissenting. The council said:

"The court made it absolutely plain that unions have the right to set up and finance group legal service plans . . . as to any work-related matter, as long as the plan is administered in such a way as to insure that the individual member retains control of the case" involving him.

A landmark ruling was put on the lawbooks when Maryland and 27 other states brought a suit, called Maryland v. Wirtz, alleging that it was beyond the power of Congress to regulate the minimum wages and maximum hours of employes in state-operated hospitals and schools. The states' argument was "completely rejected" by a seven-man majority of the court, the council noted.

The opinion, written by Justice Harlan, upheld the power of Congress to regulate public enterprises affecting commerce.

The report said "There can be little doubt that this case represents a major interpretation of the commerce clause which will have reverberations far into the future if Congress moves to meet the serious labor relations problems which are surfacing on the state and local levels of government."

The council cited two cases of "lesser magnitude":

In Nash v. Florida Industrial Commission, the commission had refused to pay unemployment insurance to a union member because she had authorized her union to file unfair labor practice charges against her employer on her behalf. This refusal was upheld by the Florida courts but unanimously reversed by the Supreme Court.

The court, for the fourth time in 55 years, rejected the claim of a railroad — this time the Chicago, Rock Island & Pacific—that Arkansas's state "full crew" laws violate the Constitution or the 14th Amendment. The court ruled that the evidence strongly supported the claim of the Locomotive Firemen & Enginemen, now part of the United Transportation Union, that the laws play an important safety function.

National Labor Relations Board cases did not "occupy center stage" during the last two Warren terms, the council reported, but nevertheless did figure in decisions of importance.

In NLRB v. Gissel Packing Co., a unanimous court ruled that an employer's duty to bargain with a union can be established without a representation election.

It said that authorization cards obtained by the union from a majority of employes, without misrepresentation or coercion, are reliable enough generally to prove a valid alternate route to majority status. It found that an order to bargain is justified when an employer "rejects a card majority while . . . committing unfair labor practices that tend to undermine the union's majority and make a fair election an unlikely possibility."

Supreme Court, Despite NLRB Objections, To Rule on Firms' Rights Against Picketing

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — The Supreme Court agreed, over the objections of the National Labor Relations Board, to decide a question of employers' rights to take court action to stop illegal picketing.

The issue, brought to the High Court by Sears, Roebuck & Co., is whether a company can appeal a Federal district court's denial of a temporary injunction to halt such picketing, where the NLRB originally sought the injunction but refuses to appeal.

In other actions, the Supreme Court:

—Declined to disturb an NLRB decision requiring an employer to give an incumbent union the names and home addresses of workers who are in the bargaining unit represented by the union but aren't union members. The case involves Prudential Insurance Co. and the Insurance Workers International Union.

—Refused to review a Federal Trade Commission finding that Tri Valley Growers, a California cooperative that processes fruits and vegetables for its members, violated the Robinson-Patman Act.

—And left standing a lower-court decision holding invalid Baker Oil Tools Inc.'s patents on retrievable bridge plugs, which are used to plug oil wells.

The Sears Picketing Case

The Sears case involved a local labor dispute that led to picketing of some Sears stores in Denver, but the giant retailer felt the legal principle important enough to take the issue all the way to the Supreme Court.

The original dispute, according to Sears, was between Denver Local 419 of the Carpet Layers Union and Joe & Eddie's Carpet Service, a concern that installed floor coverings sold by Sears' Denver stores, when Local 419 members began to picket the Sears stores, Sears filed charges with the NLRB calling an illegal secondary boycott.

The NLRB regional director concluded there was reason to believe the picketing was illegal. He then sought a temporary injunction from a Federal district court to halt the picketing, pending a final NLRB ruling.

The district court denied the injunction on the ground that there was "little probability" the NLRB would uphold the company's charge. The board refused to appeal the denial, and instead continued its own proceedings on the charges. Sears, faced with continued picketing, filed its own appeal, but the Federal appeals court in Denver ruled that the company didn't have legal standing to appeal the denial of an injunction sought by the NLRB.

A month later the board held that the union had engaged in illegal picketing. The picketing then ceased.

Sears nonetheless petitioned the Supreme Court to review the appeals court's decision, insisting that the legal question is important to business and labor generally. Various groups, including the American Retail Federation, filed friend-of-the-court briefs supporting Sears' motion. The NLRB told the High Court it shouldn't review the case inasmuch as the picketing had stopped with the board's decision on the case.

The Supreme Court, without commenting on the board's position, granted Sears' petition. It will hear argument and decide the case sometime in early 1970.

The Prudential Case

The Prudential case, in which an NLRB decision favoring the union was upheld by a lower court, raised a question of employer and union rights in situations where large numbers of employes have declined to join or pay dues to an incumbent union.

The Insurance Workers union since 1959 has represented Prudential agents in 34 states and a few cities outside those states. A total of about 16,800 agents are employed in those locations, which constitute a bargaining unit.

The union contract doesn't require all agents to pay dues, nor does it contain any other union-security provisions. It does contain a dues-checkoff provision, under which members may authorize Prudential to deduct their union dues from their pay. About 9,700 of the 16,800 agents have signed the authorizations.

The union has the home mailing addresses of the 9,700 and from time to time has asked Prudential to supply the names and addresses of the other agents who haven't signed the authorizations and aren't union members.

Prudential repeatedly refused, and in 1967 the union filed charges with the NLRB claiming that the refusal constituted an unfair labor practice. The board agreed, and ordered Prudential to supply the names and addresses on the ground that the list "was necessary and relevant to collective bargaining."

An appeals court sustained the board, and Prudential sought Supreme Court review. The High Court didn't comment in denying review.

The Tri Valley Case

The FTC case was brought under the Robinson-Patman Act, often called the price-discrimination law. It bars companies from giving discounts and allowances to favored customers unless the same terms are made available to all competing retailers or wholesalers.

The FTC ruled that Tri Valley sold canned fruits and vegetables directly to large chain stores at lower prices than were available to other buyers, including various grocery wholesalers. The commission rejected the concern's defense that its lower prices for chains were adopted in good faith to meet the prices of other processors competing with Tri Valley.

An appeals court, after first remanding the case to the FTC for further hearings, upheld the commission. Tri Valley sought Supreme Court review of the appeals court's decision.

The Patent Case

The patent case grew out of an action filed by Kiva Corp. for a court judgment holding that Los Angeles-based Baker Oil Tools Inc.'s patents on retrievable bridge plugs were invalid and weren't infringed.

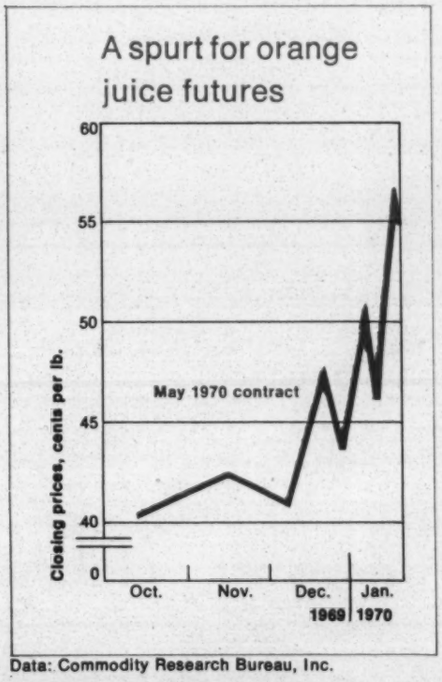
A Federal district court ruled for Kiva, and the decision was affirmed by an appeals court. Baker unsuccessfully sought Supreme Court review.

Labor Law 1-24-1970 Business Week

who bought a 15,000-lb. frozen concentrate contract for $900 margin, this represented a gain of $1,500, or 167%.

Higher still? Even before the freeze, prices of orange juice futures were edging up. At first, this year's crop was expected to be especially good; November estimates of the Florida crop placed it at 149-million boxes of oranges. But in mid-December a new report said heavy droppage had reduced that to 140-million; so futures prices started climbing.

Commodity brokers and analysts said that when the freeze hit, the market actually showed good sense. Instead of wildly bidding up prices on damage rumors, says Donald Conlon of Reynolds & Co., "The market behaved very orderly. My guess is that it will tend to crawl higher."



Data: Commodity Research Bureau, Inc.

In comparison, when a freeze hit last year, the market went wild. Prices went up to the limit for five days straight. Some brokers, such as Clayton Jones of Bache & Co., say that last year's overreaction tempered this year's speculators. Prices last year for the July contract shot up to 65¢. But by May they were down to 53¢, says Jones, when it became clear that even the government's estimate of crop damage was exaggerated.

So far, there is no telling whether or not retail prices for the 6-oz. cans of frozen juice will move up. Processors usually get together in mid-January to assess the crop. But now it looks as if they will hold off until after Feb. 10 following the Agriculture Dept.'s special damage report and its monthly crop estimate. Last year, following a freeze, the wholesale price of a dozen 6-oz. cans jumped from $1.55 to $2.25 but settled down to $1.75 by August. ■

UNIONS

Nixon's brand of labor law

President Nixon will ask Congress next month to take a long, hard step toward compulsory arbitration of national emergency disputes that are not settled through existing Taft-Hartley procedures. Odds are that Congress will not comply this year unless there is a serious dispute that involves the national interest. But the fight is intended to go on in 1971 if it fails in this Congressional election year.

The President and Labor Secretary George P. Shultz have a number of revisions of major labor laws in mind. Some would gut the 35-year-old Railway Labor Act of provisions for coping with major railroad and airline labor disputes: These would be handled under the Taft-Hartley Act on the same basis as other industrial disputes. Other changes would strengthen the Federal Mediation & Conciliation Service and perhaps give the National Labor Relations Board more power. But the major revision to be proposed, probably about Feb. 19, would create new machinery for settling "emergency" disputes that outlast 80-day injunctions against a strike or lockout.

Rearrangement. Basically, the Administration wants to take major railroad and airline bargaining out of the antiquated Railway Labor Act and put it under Taft-Hartley. This would consolidate all labor-management relations in a revised and broadened National Labor Relations Act (since 1947 revisions, more commonly called the Taft-Hartley Act) and would leave the RLA as no more than a minor law covering specific transportation problems.

Under the plan to be advanced next month, most of the functions of the National Mediation Board (now handling railroads and airlines) would be transferred to the FMCS and NLRB, which handle similar cases under the Taft-Hartley Act.

Changes in the two laws, however, will be overshadowed by something new and potentially far more controversial. The Administration plans to propose adding an extra step to Taft-Hartley emergency strike provisions, to apply to any industry under the act.

At present, any dispute that threatens the nation's health, welfare, or security can be barred for up to 80 days, a "cooling off" period during which a settlement is sought by factfinding, mediation, and further bargaining. After 80 days, a strike or lockout becomes legal again and the President's only recourse is to go to Congress for ad hoc measures.

Compulsion? The new suggestion is to require parties to submit their dispute to an impartial panel and ultimately accept the terms it recommends. The parties would be barred from "self-help," meaning a strike or lockout. Nobody wants to call this step compulsory arbitration, but most agree that at most there is a very fine line between the proposed "mediation to finality" (a term used by former Labor Secretary W. Willard Wirtz for a similar plan in 1967) and compulsory arbitration.

The proposal would write into Taft-Hartley the strategy used in 1967 when Wirtz told shopcraft unions and railroads that they could either negotiate a settlement on their own, helped by mediators, or have terms imposed by a special arbitration panel. The two sides opted for more bargaining and the presumption in the new proposal is that most future disputants would, too.

Other powers. Exact details of the plan are secret, but some of those who have been consulted say that the President might have other options to head off a shutdown after the 80-day period.

The Administration is not expected to alter the present Taft-Hartley definition of what constitutes a national emergency; it feels that the vague language of the act gives the President and his Labor Secretary leeway to enter or stay out of national disputes. Shultz feels that past Administrations interpreted the definition too loosely and intervened too often. Only recently, Shultz issued a Labor Dept. study that he interprets to show that the Johnson Administration should not have invoked the T-H emergency strike procedures in dock strikes in 1962, 1965, and 1968. The Nixon Administration policy is to use T-H as a last resort. This is now being adhered to in the 13-week General Electric strike.

Nixon will invoke Taft-Hartley as a last resort

The decision to ditch the Railway Labor Act was not unexpected. It can be laid to a sober recognition that under RLA's procedures no real bargaining occurs until after the government goes through slow-moving and ineffective procedures. Under T-H, hard bargaining must take place before the government moves in.

Although the Administration will not push for emergency strike changes immediately, pressures could develop quickly if present shopcraft union negotiations with major railroads bog down and there is a serious strike threat or if trucking industry bargaining take on a critical look later in the year. ■

AEROSPACE

Weaker thrust in 1970

After living through their poorest business year in a decade, U. S. aerospace companies face what could be an instant, bone-crunching replay. Outwardly industry executives display calm optimism, but the prospects confronting them look ominous.

President Nixon has committed himself to a $5-billion reduction in defense spending for the 12 months beginning July 1, following a $4-billion cut during the current fiscal year. The latest cut will pull Defense Dept. expenditures down from the current level of $77-billion a year to $72-billion.

Companies anxiously await new cuts in the 1971 budget

At the National Aeronautics & Space Administration, another big source of aerospace contracts, an additional $150-million cut for fiscal year 1971 was reported this week, reducing its budget to about $3.35-billion. NASA's budget for the current fiscal year is $3.7-billion, down $200-million from the previous year.

Confronted with such cutbacks, aerospace companies still hope their own programs will be spared or suffer no more than aggravating stretchouts. But they all admit their faith rests on the unknown factor of where actual cuts will hit when the fiscal 1971 budget is released.

"We certainly expect government stretchouts and cutbacks to reduce product sales," says a spokesman for United Aircraft Corp. The company makes the engines for the troubled F-111 project and was to have developed a solid-fuel rocket booster for the Air Force's Manned Orbiting Laboratory, which has been cancelled.

Already hurting. Whatever comes in fiscal 1971, the industry cannot wish away the continuing impact of cutbacks already made in the last six months of 1969, when defense contracting started a marked downward drift. From July through September, the latest quarter for which statistics are available, contracts fell to $8.6-billion from $10.9-billion for the same period a year earlier. At the same time, aircraft contracts dropped to $1.6-billion from $2.1-billion a year earlier.

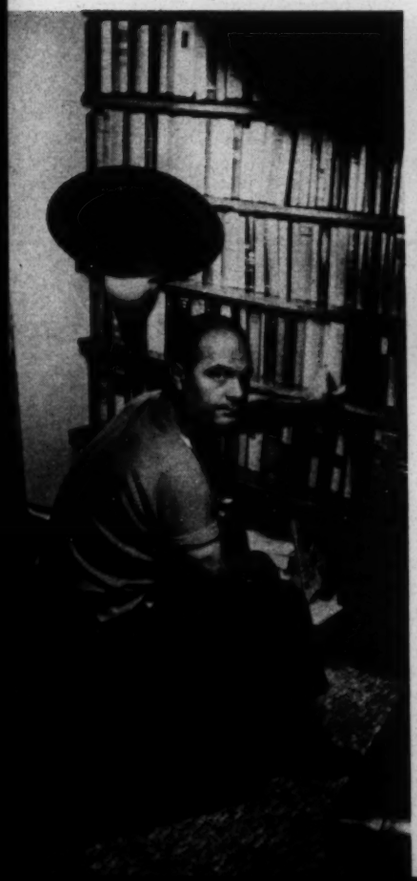
In 1969, the aerospace industry experienced its first reduction in sales in 10 years, and another slip is forecast for this year. The Aerospace Industries Assn. reports that sales declined 4.1% to $28.3-billion from the record high of $29.5-billion in 1968. AIA is forecasting an additional drop of 2.1% to $27.7-billion for 1970.

The brave front put up by the aerospace companies cannot hide what is happening in their manufacturing operations, either. Projects sending shockwaves from the big contractors to their subcontractors include:

- Cutbacks on the number of C-5A jet transports to be produced for the Air Force. Lockheed-Georgia has orders for only 81 of the 115 aircraft originally proposed. This could represent a possible loss of $100-million for Lockheed and its suppliers.
- Continued shaving of planned orders for General Dynamics' trouble-plagued F-111. The latest figures show only 493 to be built; this would mean a cut of 161 planes worth $2-billion.
- Stretchout of the Apollo program. Lunar shots originally scheduled at three-month intervals will now be set six months apart. And one flight has been canceled so that its Saturn V rocket can be used for a space-station launch, something NASA had hoped that Congress would fund separately as a large post-Apollo project.
- Continued military disengagement in Vietnam. War expenditures (including about 40% for equipment) are now running about $23-billion a year and are expected to dip to about $18-billion in fiscal 1971.

The outward calmness projected by aerospace companies is, in part, the result of long experience in dealing with severe business contractions and ex-

Some California casualties



Sean Holland, 33

He was a senior human factors analyst for five years at System Development Corp. in Santa Monica before the contract he was working on was canceled. But as a single man from a well-to-do family, he is not worried.

Hank Navarro, 42

Laid off after 15 years as a photographer with the Rocketdyne Div. of North American Rockwell, Navarro is unemployed but in no hurry to get another job. He earned $11,000 at Rocketdyne, got $1,125 severance pay.

David Lynch, 34

He was a $9,600-a-year buyer for the Autonetics Div. of North American, where he had worked for eight years. Married and with two children, he has been making $200 to $400 a month since November as a car salesman.

Justices Reject NLRB Authority On Dues Checkoff

Court Also Refuses Review Of Ruling That GE Policy In 1960 Strike Was Illegal

UMW Order Left Standing

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Supreme Court ruled that the National Labor Relations Board hasn't any authority to order an employer to agree to a union's demand for a union dues checkoff provision in a collective-bargaining agreement.

The Court, in an unusually strong opinion by Justice Black, took the occasion also to emphasize that Congress intended the NLRB to be only an umpire of labor-management relations and the board "is without power to compel a company or a union to agree to any substantive contractual provision of a collective bargaining agreement."

In two other important labor cases, the Supreme Court:

—Refused to disturb an NLRB decision that held illegal General Electric Co.'s collective bargaining policy known as "Boulwarism." The board's decision may be of limited practical importance, because the ruling grew out of the 1960 strike against GE. In the recent 14-week strike, the company departed, somewhat at least, from Boulwarism, under which GE decided how much to offer the union and took the attitude its offer was nonnegotiable.

—Left standing a lower-court decision that assessed against the United Mine Workers about $1.5 million of antitrust damages to be paid to Tennessee Consolidated Coal Co. The High Court's action appeared to circumscribe somewhat the general antitrust immunity enjoyed by labor unions.

The NLRB Case

Justice Black's opinion in the case concerning the NLRB's power over substantive labor contract provisions succeeded in chastizing the employer involved, H. K. Porter Co., and then striking down the board's order against the company.

The case grew out of a dispute that began in 1961 between Porter and the United Steelworkers Union. The Steelworkers became the bargaining agent in 1961 for employes at Porter's Danville, Va., plant. Since then, according to the Black opinion, the union and company have been battling, mainly over the union's demand that the company agree to check off, or deduct, union dues from employes' paychecks.

"This delay of over eight years isn't because the case is complex," Justice Black wrote, "but appears to have occurred chiefly because of the skill of the company's negotiators in taking advantage of every opportunity for delay."

The NLRB initially ruled that Porter's refusal to bargain on the checkoff wasn't made in good faith but was done to frustrate any agreement with the Steelworkers. The ruling was based on the finding that Porter deducted insurance, taxes and other items and refused the dues checkoff, because, in the company's words, it "wasn't going to aid and comfort the union." The board at that point simply ordered Porter to bargain.

An appeals court upheld the NLRB order. There were further proceedings before the appeals court concerning the meaning of its opinion. Then the case was remanded to the board. The board, in 1968 ordered Porter to "grant to the union a contract clause providing for the check-off." A Federal appeals court affirmed that order.

The appeals court said it recognized that "the National Labor Relations Act is grounded on the premise of freedom of contract." But it held that Porter had refused to bargain on the checkoff in order to frustrate any agreement. It concluded that, where an employer repeatedly refused to bargain, an order requiring agreement on the checkoff "may be the only means of assuring that the employer no longer harbors an illegal intent."

The Supreme Court reversed the appeals court by a four-to-two vote. Justices White and Marshall didn't participate, and Justices Douglas and Stewart dissented.

Justice Black, in the majority opinion, reviewed the history of the Labor Relations Act and declared that its object "wasn't to allow Governmental regulation of the terms and conditions of employment, but to ensure that employers and employes could work together to establish mutually satisfactory conditions."

In also declaring the NLRB powerless to compel agreement on "any" substantive contractual provision, Justice Black apparently was more concerned about what the board might do in the future than what it has done.

The Porter case, according to the Black opinion, was the first time in the 35-year history of the Labor Relations Act that the NLRB ordered an employer or union to agree to a substantive provision. Justice Black suggested that the board is being faced with labor problems more complex than in the past. He said that if its "remedial powers are insufficient," Congress rather than the court should amend the Labor Relations Act.

Justices Douglas and Stewart said they were dissenting, because, even though the act "doesn't encompass compulsory arbitration," the NLRB in the Porter case had to issue the order as there wasn't any other way for it to remedy Porter's refusal to bargain.

The GE Case

The General Electric case revolved around the policy named after its former vice president, Lemuel R. Boulware.

The policy was based essentially on an application to labor matters of GE's product marketing techniques. Under the policy, GE has had a continuing program of research into employe needs, competitive factors and general economic conditions, and, when union contracts expire, it bases its new contract offers on the results of the research. Additionally, GE under the policy uses plant newspapers and other media to maintain communication with employes and to inform them of its bargaining offers. The company makes available to nonunion workers all benefits won by union employes.

The NLRB held, on the basis of a complaint filed by the International Union of Electrical Workers following the 1960 strike, that under its policy GE had bargained in bad faith in violation of the National Labor Relations Act. The board held that the "totality" of GE's actions amounted to a "take-it-or-leave-it" attitude concerning its offer to the IUE and that the company's unwillingness to bargain was "hardened . . . by a publicity campaign emphasizing (the) nonnegotiability" of its offer.

Specifically, the board said GE and the IUE opened contract talks in June 1960 and the union then presented various demands. But, the NLRB asserted, GE didn't present its offer

Wall Street Journal 3/10/70 Labor Law

Burger Opinions in Two Picketing Cases Lean Toward Greater Power for States

By LOUIS M. KOHLMEIER
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — Chief Justice Burger utilized a rather obscure labor case to suggest that the Supreme Court has gone too far in curbing the power of the states to halt union picketing.

And in a second labor case, the Chief Justice joined two other members of the Court in recommending that an important 1959 decision circumscribing states' picketing-injunction authority "should be reconsidered."

"It's too early even to generalize" about where the new Chief Justice might try to lead the Court in the controversial matter of legal versus illegal picketing, one Government labor official commented. But he added: "We may begin to see a shift that would give more deference to state authority."

Mr. Burger has been Chief Justice only since October and the Court's actions on the pair of cases afforded the first opportunity for him to comment on the picketing-injunction issue.

Future Course

However, it wouldn't be surprising if Mr. Burger did try in future, more clear-cut picketing cases to bring a majority of the Justices around to his view that the Court under his predecessor, Earl Warren, went too far in curbing the states. Mr. Burger was picked for the job by President Nixon because both thought the Warren Court in various areas of the law had been too liberal in conferring power on the Federal Government at the expense of the states.

Congress in general preempted the states from the labor-relations field in 1935 when it passed the National Labor Relations Act and created the National Labor Relations Board to administer the law. The law insured workers the right to organize and barred courts from enjoining peaceful picketing, provided the picketing wasn't in furtherance of an illegal objective such as a secondary boycott.

Controversy has continued, however, over states' rights and definitions of illegal activity, and the Supreme Court has held that state courts can enjoin picketing under certain circumstances. It upheld, for example, a state court injunction against a secondary boycott in 1942 and another in 1966 where picketing was being carried on in the context of what the High Court termed a "malicious libel."

Key 1959 Decision

But the broad, general rule circumscribing state action was laid down in the key 1959 decision in which the Court said that states can't interfere with picketing that even "arguably" comes within the Federal statute and the NLRB's jurisdiction.

In one of the new cases, Alabama courts had enjoined a union from marching on a narrow sidewalk owned by the grocery store they were picketing. The state courts halted the picketing on the ground that the union was trespassing on private property.

The Supreme Court in an unsigned opinion dismissed the appeal as "improvidently granted," because the grocery-store owner had sold out and the facts of the picketing weren't entirely clear.

Most such dismissals by the High Court are perfunctory, but this one inspired a highly unusual concurring opinion by the Chief Justice and a "separate memorandum" from Justice Harlan.

Mr. Burger agreed that the case was too "obscure and atrophied" for decision, but then offered his "view" that "any contention" that Alabama courts were powerless to enjoin the picketing was "without merit." Continuing, he said: "The protection of private property, whether a home, factory or store, through trespass laws is historically a concern of state law. Congress has never undertaken to alter this allocation of power and has provided no remedy to an employer within the National Labor Relations Act to prevent an illegal trespass on his premises."

The Chief Justice cited in support of his position the High Court's 1966 decision upholding a state injunction against picketing connected with what the Court termed libel.

Justice Harlan retorted that, under the High Court rule fixed in the 1959 decision, the Alabama picketing was a matter for NLRB rather than state court consideration. Further, he asserted that the 1966 case was "far removed from the present case."

In the second case yesterday, the Supreme Court decided that Florida courts acted improperly in enjoining the International Longshoremen's Association from picketing foreign-flag cruise ships docked at Miami.

The ILA picketed the ships to protest allegedly substandard wages paid to nonunion longshoremen and the Florida courts enjoined the picketing on finding that the state wasn't preempted by the NLRB from entering the dispute. The state courts rested their finding on a series of earlier Supreme Court decisions that the NLRB didn't have authority over picketing by U.S. unions aimed at organizing foreign crew members of foreign-flag ships docked in American ports.

The New Case

In the new case, the Court held that since the ILA was picketing to protest wages paid American longshoremen, the earlier decisions didn't apply; the dispute was "arguably" within the NLRB's jurisdiction and the Florida courts were wrong in granting an injunction.

Justice Brennan wrote the opinion for the Court, resting the decision on the key 1959 case. There weren't any dissenters, but Chief Justice Burger and Justices White and Stewart joined in a separate opinion in which they concurred with Justice Brennan apparently only to the extent of agreeing that the Florida courts shouldn't have ruled that the NLRB was without jurisdiction.

They said they believed that state courts should be barred from enjoining only that picketing that "actually" and not "arguably" comes within Federal jurisdiction. "To this extent," they declared, the 1959 decision "should be reconsidered."

Labor Law

High Court Puts New Restraint on Unions In Pressuring Neutral Firms in Disputes

1/13/71

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Supreme Court placed a new restraint on unions that exert pressure on a neutral employer or other third party to win concessions from an employer who's being struck.

The National Labor Relations Act bars such secondary pressures or boycotts where the striking union is attempting to force the neutral company to "cease doing business" with the struck company. But the Supreme Court held that union pressure can violate the law even if it falls short of forcing a complete cessation of business between the neutral concern and the struck employer.

In other actions the High Court:

—Upheld book publishers on a key procedural issue in the multiple antitrust damage suits brought against them by many public schools and libraries. The Court affirmed a lower-court ruling that lawyers for the schools and libraries may not have access to certain materials stemming from an earlier Federal grand jury investigation of the publishers' pricing practices.

—And ruled that New York State has the Constitutional right to cut off welfare payments to mothers who refuse to allow caseworkers to enter their homes. Home visitation is a "reasonable tool" the state may use in administering its Aid to Families With Dependent Children program, the Court ruled.

The Labor Case

The labor case was the latest in a long line of legal disputes over union rights in "primary" and "secondary" pressures on employers. The National Labor Relations Act ensures a union the right to engage in a "strike or picketing" against an employer who's the primary target of that union, even though other neutral concerns may be seriously affected. But the law bars a union from exerting pressure to force a neutral to "cease doing business" with a struck employer.

The new case involved a work stoppage in 1965 at the site of a nuclear power plant that was being built at Oyster Creek, N.J., for Jersey Central Power & Light Co.

The general contractor, Burns & Roe Inc., subcontracted all the construction work to three companies—White Construction Co., Chicago Bridge & Iron Co. and Poirier & McClane Corp. The three employed members of the Operating Engineers Union, but White had no contract with that union so the company assigned to members of the Ironworkers Union the job of pushing buttons that operated a welding machine. The operating engineers claimed the button-pushing work and after threatening White with a strike, demanded that Burns & Roe sign a contract that would be binding on all three subcontractors. White and Burns & Roe refused and the engineers engaged in a series of work stoppages.

The National Labor Relations Board ruled that the engineers violated the National Labor Relations Act by striking neutrals Chicago Bridge and Poirier and by coercing another neutral, Burns & Roe, to force White to assign the button-pushing to the operating engineers.

The U.S. Circuit Court of Appeals in Philadelphia rejected the NLRB decision, holding that the act isn't violated unless a union causes a complete termination of business relations between a neutral and a primary employer.

The Supreme Court handed down a seven-to-two decision reversing the appeals court. Justice Marshall, writing the majority opinion, said that the operating engineers engaged in "a sort of pressure that was unmistakably and flagrantly secondary," and that the appeals court had given the act "too narrow" a reading. Secondary pressure in some instances might be so slight as not to be illegal, but the operating engineers' goal "wasn't limited nor were the consequences of its secondary pressure slight," Justice Marshall wrote.

Justices Douglas and Stewart dissented, saying the dispute involved solely a jurisdictional dispute between unions, and the NLRB should have regarded it as such.

The Book Case

The Justices split four-to-four on the book antitrust case, thus automatically affirming the lower court's decision. Justice Douglas didn't participate.

The antitrust suits were filed against more than a dozen publishers of children's books by eight states, the cities of Chicago and Nashville and various other schools and school districts. The suits alleged that the publishers had conspired with their wholesalers to inflate the prices of library editions of children's books.

Lawyers who filed the suits, after spending longer than a year taking depositions of more than 100 witnesses, sought from a Federal district court in Chicago permission to take harrative statements from employes and former employes of the publishers relating to their earlier testimony before the grand jury. The publishers argued that such statements would violate confidential attorney-client relationships. But the district court judge held that the lawyers representing the schools and libraries could see the statements of some 30 present or former employes of the publishers.

An appeals court, however, held that the school and library attorneys couldn't have access to 17 of the statements.

These lawyers sought Supreme Court review of the appeals court's decision. The Supreme Court announced its four-to-four split in a one-line opinion.

The Welfare Case

In the welfare case, the Court upheld New York State's home-visitation requirement in a majority opinion that was the first written by Justice Blackmun, a Nixon appointee who joined the Supreme Court last year.

Under the state's Aid to Families With Dependent Children program, recipients, to qualify for continued welfare payments, must agree to allow caseworkers to enter their homes. The purpose of the visits, according to New York law, is to assure that welfare is given only "in such amount and as long as necessary" and to restore beneficiaries to self-support. Under the law, caseworkers can't forcibly enter a home or snoop on a beneficiary.

The state law was challenged by a beneficiary who charged that the home visits constituted a search and thus violated her Constitutional rights unless conducted under authority of a court-approved warrant. A three-judge Federal court in New York held the visits unconstitutional.

The Supreme Court reversed the lower court in a six-to-three decision. Justice Blackmun's majority opinion held that the home visits are "a reasonable administrative tool" for the state to use in making or withholding welfare payments and that the visits don't violate a beneficiary's Constitutional rights. At the same time, Justice Blackmun suggested that home visits wouldn't be legal if they took the form of police raids or otherwise intimidated welfare beneficiaries.

Justices Douglas, Marshall and Brennan dissented. Justice Douglas asserted that the home visits constitute an unconstitutional invasion of a beneficiary's right to privacy, saying that "the bureaucracy of modern government is . . . omnipresent. It pries more and more into private affairs, breaking down the barriers that individuals erect to give them some insulation from the harassments of modern life."

Western Nuclear Union Accord

DENVER—Western Nuclear Inc., a minerals developer, said it signed a new three-year agreement covering 200 uranium mill and mine employes at its Jeffrey City, Wyo., operations.

The contract, with District 50 of the International Union of Allied and Technical Workers, calls for wage increases averaging 50 cents an hour over three years, an increase in work turn premiums, and improvements in hospital, surgical and major medical insurance, according to the company.

Labor Law

Washington Shift

The NLRB, With GOP Majority Again, Is Seen Becoming More Pro-Business

By ELLIOT CARLSON
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Union men are finding it tougher sledding once again at the National Labor Relations Board.

Accused of a pro-labor bias during its 10 years of Democratic domination, the board has begun to shift ground now that it has a Republican majority. It's hewing closer to lines generally favored by employers, putting more obstacles in the path of union negotiators and organizers—though it hasn't yet upset any landmark decisions favoring labor.

"We may be moving back to a period where employers could get away with anything," contends Stephen Schlossberg, general counsel of the United Auto Workers. "They'll be able to make all kinds of threats against workers trying to organize and scare the pants off them." Union people generally claim the board had a pro-employer bias during Eisenhower days.

The board's Republican chairman, Edward B. Miller, has been in office for 10 months, though the five-man board has had a Republican majority only since January. It already is getting high marks from the U.S. Chamber of Commerce. For the most part, the board's recent decisions "represent a favorable turn," says Anthony J. Obadal, the chamber's director of labor relations. But Mr. Miller and his majority get failing marks from unions. "Miller doesn't appear to be very sympathetic toward workers," says Mr. Schlossberg. He cites as one example the chairman's deciding vote last year against a severe new remedy sought by the UAW against an employer that had long refused to negotiate.

Mr. Miller

Two Terms Expire Soon

Labor's disaffection is expected to deepen this summer, when the terms of two Democratic officials expire. The first, in June, is that of Arnold Ordman, who, as general counsel but not a board member, decides whether to issue unfair labor practice complaints to be heard by NLRB examiners. The second, in August, is that of board member Gerald Brown, long an object of employer wrath. The replacements are expected to be more conservative.

But the changes aren't enough to placate all the board's conservative critics in Congress. Republican Rep. John Ashbrook of Ohio, still professing grave doubts that the board decides cases fairly, recently proposed that it be replaced by an independent labor court.

There's dissatisfaction, too, among liberal Democrats. On Thursday a House Labor subcommittee led by New Jersey Rep. Frank Thompson begins hearings that will, among other things, review the board's performance and consider legislation aimed at strengthening remedies available to aggrieved workers.

Clues to the NLRB's future course under Mr. Miller may be provided in a number of pending cases. One issue is whether the NLRB should decide disputes where contractual arbitration provisions haven't been exhausted. Another deals with the extent to which employers may refuse to recognize union authorization cards and demand an election. Finally, in a widely publicized case involving a Texas farm cooperative, the NLRB is grappling with whether racial bias in hiring and promotion constitutes an unfair labor practice.

Debate About the Mission

Critics say that if the NLRB decides to defer to arbitration provisions this would indicate a board less likely to intervene in tough union-employer disputes. What's more, "there are signs the Miller board will be much less innovative in extending employe rights" against employers, says Theodore J. St. Antoine, a professor at the University of Michigan law school.

A case in point, he says, was Mr. Miller's vote last year against a UAW demand that Ex-Cell-O Corp., a Detroit machine-tool maker, reimburse employes for wage boosts allegedly lost by its refusal to bargain. The board unanimously agreed the company's refusal was illegal, but it ruled 3-to-2 that the NLRB lacked authority to order such an unusual remedy. (An appeals court later disagreed; the NLRB is seeking Supreme Court review of the case.)

Denying any pro-management bias, the 49-year-old Mr. Miller contends he simply interprets the job differently from Frank McCulloch, his Democratic predecessor. "Frank felt the board had a social mission over and above just interpreting the law," explains Mr. Miller, a soft-spoken, reflective man who before his appointment was a lawyer for managements in Chicago. "My view is that the NLRB should be as much as possible like a court, without any social or economic objectives."

To show his impartiality, Mr. Miller says that under his chairmanship the board has continued some controversial McCulloch-board trends, such as extending NLRB jurisdiction to new sectors of the economy. To professional baseball, nonprofit colleges and nursing homes and private hospitals, the Miller board has added orphanages and homes for unwed mothers and now is considering extending coverage to employes of law firms.

Moreover, employers harbor reservations about some Miller-board decisions, such as a unanimous ruling ordering General Electric Co., in certain circumstances, to turn over to three Electrical Workers Union locals wage information confidentially gathered for bargaining purposes.

Less Venturesome

Nonetheless, the Miller board generally is expected to be less venturesome than its Democratic predecessor. The old board had ruled that employers had to assume the labor contracts of predecessor firms, for instance, but the Miller board recently held that under some circumstances, an employer isn't bound by a predecessor's labor contract.

Yet even its severest critics don't expect the Miller board completely to overturn landmark rulings. For one thing, the courts have affirmed so many past decisions that the most rambunctious board couldn't upset existing precedents. For another, such activism would be out of character for the new chairman.

Rather than fashion radical new remedies, the chairman believes the board simply should intervene less in local labor disputes. This view has shown up regularly in his opinions. Basically, Mr. Miller would allow both employers and unions in representation elections "a wider latitude of speech," would intervene less frequently in cases where there are accusations of failing to bargain in "good faith" and would demand more convincing proof to support charges of unfair labor practices.

Labor Law

Justices Reject Labor Department's Bid For More Power to Police Union Elections

6/15/71

By a WALL STREET JOURNAL Staff Reporter

WASHINGTON — The Supreme Court rejected a Labor Department argument for broader authority to police union elections.

The high court held in a seven-to-two decision that, under the Landrum-Griffin Act, the department can bring suit only against those union practices that a union member protests to his union before bringing his case to the department. The department's rejected argument was that if, in the course of investigating a member's complaint, it confirmed violations the member hadn't cited to the union, the department could sue to halt them.

In a second decision, the high court ruled that state courts don't have jurisdiction to decide whether a union improperly ousted a member for alleged nonpayment of dues and caused him to be fired by his employer. The five-to-four decision reaffirmed an earlier Supreme Court ruling that held that such matters are within the exclusive jurisdiction of the National Labor Relations Board.

Contested Election

The first case grew out of a contested election for the presidency of a United Steelworkers local in California. The unsuccessful candidate, Nicholas Hantzis, protested the election to the union, alleging that the incumbent president, who was reelected, had used union facilities to prepare campaign materials. After Mr. Hantzis failed to get satisfaction from the union, he filed a complaint with the Labor Department.

The complaint cited the incumbent president's alleged use of union facilities and, for the first time, contested a union rule that restricted candidacy to members who had attended at least half of all local meetings in the prior three years. After investigating, the Labor Department concluded that both charges were valid and that the incumbent's activity and the rule violated the Landrum-Griffin Act.

The department then brought suit against the union to set the election aside. A federal district court held that the incumbent had illegally used union facilities but decided the meeting attendance rule wasn't illegal. The Ninth Circuit Court of Appeals in San Francisco agreed on the incumbent's activities but held that Mr. Hantzis' failure to challenge the meeting requirement through internal union procedures precluded the Labor Department challenge.

The Supreme Court, in an opinion by Justice Thurgood Marshall, affirmed the Ninth Circuit's ruling. Justice Marshall said Congress intended the Act to encourage unions to take action themselves to make their internal election procedures more democratic and wanted the government involved only as a last resort.

If the Labor Department could file suit against union practices that the union itself hadn't been given the opportunity to correct, union "self-government . . . would be needlessly" weakened, Justice Marshall said.

Justices William Brennan and Byron White dissented, saying they believed Congress didn't intend to so restrict the Labor Department.

In the second decision, the Supreme Court upheld a basic position of organized labor that practically all labor disputes are within the sole jurisdiction of the NLRB, rather than state courts.

The case originated in an Idaho court where Wilson P. Lockridge, who had been a bus driver for Greyhound Corp., brought suit against the Amalgamated Association of Street, Electric Railway and Motor Coach Employes. The union had suspended Mr. Lockridge from membership for alleged failure to pay his dues on time, and because he lost his membership Greyhound discharged him. His suit charged that the union had wrongfully deprived him of employment and that his suspension from membership had violated the union constitution.

State Court's Ruling

The Idaho Supreme Court decided that Mr. Lockridge's charges didn't constitute an unfair labor practice charge within the exclusive jurisdiction of the NLRB. It held that the union constitution was a contract between the union and its members and that the suit thus charged a breach of contract under state law. On that basis, the state court awarded Mr. Lockridge damages for lost wages and ordered the union to reinstate his membership.

The Supreme Court, in an opinion by Justice John M. Harlan, reversed the state court. The Harlan opinion citing earlier high court opinions on the jurisdictional issue, said that cases involving practices that are or probably are barred by the National Labor Relations Act are within the exclusive jurisdiction of the NLRB, notwithstanding the contractual nature of the union constitution. Justice Harlan said Congress's purpose in creating the NLRB was to foster a comprehensive national labor policy and avoid varying approaches to labor problems.

Chief Justice Warren E. Burger and Justice White joined in a dissenting opinion. Justices William O. Douglas and Harry Blackmun dissented separately. The Burger-White opinion said "state courts should not be foreclosed from extending relief for union deprivation of members' state law rights." Justice Douglas said he would allow Mr. Lockridge to file his case in his home state "and not require him to resort to an elusive remedy in Washington." Justice Blackmun said simply that he agreed with both dissenting opinions.

Boyle to Appeal Conviction on Fund Use; But Foes in UMW May Try to Oust Him

4/3/72 Labor-Pol

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—United Mine Workers President W. A. (Tony) Boyle plans to seek a new trial, after being convicted of making illegal political contributions from union funds.

Indications were, however, that longtime opponents of Mr. Boyle might challenge his hold on the 180,000-member union while his appeals are pending.

Mr. Boyle was allowed to remain free while awaiting sentencing, for which a date hasn't been set. He faces up to 32 years in prison, $120,000 in fines and loss of the union post he has held since 1963.

The 67-year-old union leader was found guilty by a federal jury here on all 13 counts of an indictment charging him with:

—One count of conspiring to convert money unlawfully from the union's general fund to the use of others.

—Eleven counts of specific contributions to political campaigns in violation of the Corrupt Practices Act.

—One count of illegal conversion of union funds to political campaigns in violation of the Landrum-Griffin Act.

Two union officials charged along with Mr. Boyle were acquitted on all counts against them. John Owens, the union's secretary-treasurer, was found innocent of participating in one of the alleged contributions and in the alleged conspiracy. And John Kmetz, its chief lobbyist, was found innocent of participating in the alleged conspiracy and with aiding Mr. Boyle in two of the alleged contributions and in the conversion of the union money.

Challenge to Union Office

If Mr. Boyle's conviction stands, he could be prevented from holding union office for five years. However, a government spokesman said Mr. Boyle probably could retain his current office until he has exhausted the appeal process, which could take as long as a year. His current term expires in 1975.

But some of Mr. Boyle's opponents inside the United Mine Workers mightn't wait till the appeals are exhausted before seeking to oust him. "We're considering a number of legal possibilities," said Joseph Rauh Jr., a Washington lawyer who represents Miners for Democracy, an insurgent group. He said the group's course probably would depend on the outcome of other legal actions involving Mr. Boyle.

For example, another federal court here is considering a Labor Department suit to overturn the 1969 election in which Mr. Boyle defeated insurgent Joseph A. "Jock" Yablonski. Mr. Yablonski, his wife and daughter were murdered less than a month after the election, which was marked by charges of irregularities. A decision in the Labor Department case is expected this month.

And last year, a federal court ordered Mr. Boyle to step down as a trustee of the UMW's welfare and retirement fund. The order was part of a decision in which the union and the fund were found liable in a breach-of-trust civil suit brought by miners and widows.

Move for New Trial

Mr. Boyle's move for a new trial in the criminal case is expected later this month. A spokesman said he didn't know what grounds would be used in the effort to win a new trial, and Mr. Boyle wasn't available for comment. Most UMW officials declined to discuss the case, but Emmett Thomas, a member of the union's executive board, said, "Mr. Boyle acted solely in the interests of the men who dig coal. Not a single penny of union money was diverted to his own personal use or interest."

During the two-week trial, the government charged that under Mr. Boyle's direction $49,250 in union funds was contributed between 1967 and 1969 to congressional candidates of both the Democratic and Republican parties and to the 1968 Democratic presidential candidate, Hubert Humphrey. According to the indictment, Sen. Humphrey, then Vice President, received the largest donation, $30,000.

Other contributions listed in the indictment were to help Rep. Wayne Hays (D., Ohio), Rep. John Saylor (R., Pa.), former Sen. Wayne Morse (D., Ore.) and former Rep. Arnold Olsen (D., Mont.).

The government charged these contributions were illegal under provisions that bar the use of union funds for political causes unless the money is voluntarily donated by members to a group set up specifically for such a purpose. In the UMW case, the government alleged, most of the contributions were made through the union's legislative arm, Labor's Nonpartisan League. The government argued that the league's prime source of funds for these donations was the UMW's general fund, supported by members' dues.

Labor Law

E WALL STREET JOURNAL, WEDNESDAY, JUNE 14, 1972

'Best Offer' Arbitration's Critics

By BYRON E. CALAME

WASHINGTON — President Nixon calls it the "Crippling Strikes Prevention Act," and on paper it looks seductively simple.

The idea is to avert disruptive strikes against railroads and other transportation industries, and the heart of the Nixon proposal is the "final offer selection" procedure. In theory, it would work something like this:

Suppose union-management negotiations have deadlocked, with the union demanding a 12% raise and management offering 8%. A strike looms. Instead, the President orders each side to submit its "last best offer" to an impartial panel. The union comes down to 11% and management comes up to 9%. The panel then picks one offer or the other—it doesn't have the authority to split the difference—and imposes it. That's all there's to it: The bargaining is over, the strike averted.

Backers of the administration plan, now bogged down on Capitol Hill, see it as a real advance over existing procedures. They contend it would force bargainers for both sides to narrow their differences; each would be trying to persuade the panel that its position was the more reasonable one. Supporters argue that this is a big improvement over compulsory arbitration, which offers greater latitudes to the arbitrators and tends to encourage negotiators to stake out extreme positions in the expectation that arbitrators will split the difference. Indeed, some high administration officials insist that if Congress would only pass their bill, nationally crippling transportation strikes would be a thing of the past.

Questions of Workability

But critics of the administration's proposal are raising serious questions about its workability, questions that Senate opponents of the plan are citing in fighting the measure. And most of the labor relations arbitrators, mediators and professors who have publicly expressed their views of the new procedure say it wouldn't avert all emergency transportation strikes.

Are the arbitrators and mediators against the plan because it would cut them out of their jobs? This is the argument of administration officials. Yet it would seem that while their roles might be diminished in time by the new procedure, experienced arbitrators would always be required to help man the selection panels the procedure would require—and, of course, to handle the great bulk of labor disputes that don't create any "national emergency."

Essentially, the critics doubt the Nixon plan would be flexible enough to allow the trade-offs and compromises that are so much a part of the bargaining process. They fear that the impartial panels would often find themselves choosing the "least unreasonable" of two rival offers. Further, the winner-take-all nature of the process could make it hard for union leaders to keep their rank-and-filers in line in cases where the employer's offer is selected, they say.

Top administration officials who developed the idea insist they're not dissuaded by this litany of infirmities. Their reasoning: In the overall perspective, the proposal's unpalatableness may well be its key strength. The prime argument for the measure, one of its "I would suggest, of the cases with which I have been intimately familiar, that (in) only a fraction—substantially less than half—would this have been feasible," he told a Senate subcommittee recently. Even some administration labor relations experts concede they respect Mr. Simkin's views.

The Nixon proposal "assumes that on all issues in bargaining there is a middle ground," frets Theodore Kheel, veteran New York arbitrator and mediator. "Perhaps the wage issue can be put in this category. But not the most difficult (issue) of labor relations in recent years: the elimination of jobs as the result of technological change. . . . This issue is never a simple clash of two opposing views which can be decided on an either-or basis."

Manning and work rule issues "require delicate neutral adjustment between valid but conflicting positions," writes Charles Rehmus, co-director of the Institute of Labor and Industrial Relations run by the University of Michigan and Wayne State University. "Final-offer arbitration does not permit this process to operate where it is most needed," he asserts, citing three public-sector disputes where the procedure was tried.

Mr. Rehmus reports that the procedure failed in disputes in Massachusetts and Michigan where the labor issues involved work rules. "The parties remained poles apart, and the neutrals refused to select any of the offers because all were deemed unreasonable," he explains. (The Nixon plan would force the panel to make a choice.) In a New York dispute where the sole issue was pay, however, the final-offer approach proved effective because "dollar differences are almost infinitely divisible," he observes.

Since the panel can't modify the offers, it might have to accept certain inequities in making a choice, some labor relations experts fear. Mediator David Cole, "a highly regarded old pro" in the words of Labor Secretary James Hodgson, recently outlined how such a dilemma might develop where the final-offer procedure is used:

Mr. Cole suggested union bargainers might decide "we will make a more modest (wage) request than we have been holding out for, but we will put in all these work rules and things we like. The board . . . will like our money offer—they will think we are modest about that. So they will accept ours, and, boy, we will have a contract that will really do the job for us.

"Or, vice-versa, the employer may make something that looks like a generous wage offer, (but) put in a lot of working conditions the union cannot live with. But the board cannot separate them out—they have got to give the union the whole works."

The win-lose atmosphere of the final offer scheme troubles some labor-relations men. "The package selected . . . will be an imposed settlement that will represent a victory for one side and a defeat for the other," cautions W. Glen Harlan, Eastern Airlines' senior vice president for legal affairs, in a recent American Bar Association Journal article. Merton Bernstein, Ohio State University law professor, takes the problem a step further: "Anyone with labor-relations experience knows that whenever a winner and a loser use might involve special difficulties."

The Labor Department recently issued a press release summarizing the opinions of several professors who have filed statements favoring the bill. But the professors and the parties on the firing line don't always agree. Eaton Conant, director of the University of Oregon's Institute of Industrial and Labor Relations, reported "limited experience" with a final-offer option plan in the city of Eugene, Ore., "indicates it can work."

A city official interviewed concedes that Eugene's first use of the procedure did force a settlement in a March dispute with firemen, but he notes that there are growing signs that the terms of the imposed pact won't be fully honored by the disgruntled union members. A union leader agrees that some "harassment" by resentful firemen is already occurring. Thus, the city official concludes flatly: "It's not working." Both union and city officials confess they were surprised when the three-member panel picked the lower of the city's two alternative final offers by a two-to-one vote; the city's offers were 6% and 6.5%, the union's final demands were 7.5% and 8.8%, according to the municipal official.

Several professors agree with Donald Cullen of Cornell's School of Industrial and Labor Relations, who has testified that he would like to see the "challenging new idea" tried. Harvard economics professor Carl Stevens concedes that "some of the answers to questions about its workability can only be had by actual trial." Mr. Cullen figures that "if by some quirk a truly disastrous contract did result in some case, Congress could presumably undo the damage by passing a law that would set aside that particular award."

All Imperfect, So . . .

Almost everyone who has analyzed the Nixon administration proposal can probably agree with Mr. Meltzer that "all procedures for dealing with critical transportation strikes are likely to be imperfect." So it might be worthwhile sticking with the often untidy mediation procedures that now exist for a while longer—and for several reasons.

There are some indications that selective strikes—or lockouts—could be used more to create the pressure needed to produce voluntary settlements. The most recent major labor dispute on the railroads was voluntarily settled last August after an 18-day selective strike against 10 carriers by the United Transportation Union. And major maritime unions have recently pledged to work with management to try to voluntarily set up machinery that would lead to the binding arbitration of disputes.

Moreover, it appears that many of the transportation walkouts that were labeled "national emergencies" weren't really that damaging. Despite some White House efforts to downgrade its conclusions, no one has ever really refuted a study prepared in 1969 at the direction of then Labor Secretary Shultz. It determined that three Atlantic and Gulf Coast Longshoremen's strikes between 1962 and 1969 had a "minimal" impact on the national economy. Earlier this year, the Pay Board's staff concluded that the strike by West Coast dockers didn't create a national crisis either.

None of this adds up to what the adminis-

tion strikes.

Are the arbitrators and mediators against the plan because it would cut them out of their jobs? This is the argument of administration officials. Yet it would seem that while their roles might be diminished in time by the new procedure, experienced arbitrators would always be required to help man the selection panels the procedure would require—and, of course, to handle the great bulk of labor disputes that don't create any "national emergency."

Essentially, the critics doubt the Nixon plan would be flexible enough to allow the trade-offs and compromises that are so much a part of the bargaining process. They fear that the impartial panels would often find themselves choosing the "least unreasonable" of two rival offers. Further, the winner-take-all nature of the process could make it hard for union leaders to keep their rank-and-filers in line in cases where the employer's offer is selected, they say.

Top administration officials who developed the idea insist they're not dissuaded by this litany of infirmities. Their reasoning: In the overall perspective, the proposal's unpalatableness may well be its key strength. The prime argument for the measure, one of its principal architects suggests, is that the parties, in effect, would be so fearful of resorting to the final offer option that they would reach agreement voluntarily. The fact that the procedure could prove unfair to one side "constitutes a strong disincentive to use it," asserts Undersecretary of Labor Laurence Silberman.

Organized labor opposes the Nixon plan as being nothing more than sugar-coated compulsory arbitration, and President Nixon himself acknowledged as much during his recent visit to John Connally's ranch in Texas. Whatever else that one can say about compulsory arbitration, it hasn't proved itself to be a panacea for averting strikes.

A study of Australia's compulsory arbitration system published in a recent issue of the Labor Department's Monthly Labor Review makes this point. Under the system, working days lost as a result of strikes spurted to 3.1 million last year from 2.4 million in 1970 and only 1.1 million in 1968, according to the analysis, which was written by Kingsley Laffer, associate professor of industrial relations at the University of Sidney.

With the administration hoping for a Senate vote this year on the measure, the White House appears to be gearing up to take its case to the public again just as it did during the recent West Coast dock tieup. One reason: Public sentiment stirred up by the administration during the West Coast walkout spurred a test vote in the Senate on the legislation—and the measure lost by a surprisingly close 42 to 39 margin.

Shortly after asking Congress last February to pass stopgap legislation to resolve the dock strike, Mr. Nixon contended in a special message to Congress that the walkout could have been averted by the enactment of his permanent reform. The message was intended "to emphasize again to the Congress and to the American people" that Mr. Nixon's broad reform would have made it "unnecessary to come up (to Congress) with this request for *ad hoc* legislation," a high administration official explained at a White House briefing.

An 'Arsenal' of Weapons

Mr. Nixon's proposal would supposedly give him an "arsenal" of three weapons for settling emergency disputes in the rail, trucking, airline, longshore and maritime industries. In addition to invoking the final-offer procedure, he could require partial operation of the affected industry (anathema to management) or order an extension of no-strike periods provided for in existing laws. The theory: If the parties aren't sure which weapon the President will fire at them first in a strike, the uncertainty will spur them to reach a voluntary agreement.

Nevertheless, the final offer option is the "guts" of the bill and the alternative the President would use most of the time, almost everyone agrees. Specifically, it would require each side to submit either one or two "final offers" for consideration by a neutral three-member panel: Each offer would have to "constitute a complete bargaining agreement and resolve all the issues involved in the dispute."

The question, of course, is whether the procedure will work. That question obviously can't be answered with certainty. The procedure has not been tested so the sharply-differing opinions about it are based largely on conjecture. But several veteran arbitrators and mediators have seriously questioned the workability of the procedure in testimony and statements being gathered by congressional committees.

The final offer approach "isn't a panacea," asserts William Simkin, former head of the Federal Mediation and Conciliation Service under Presidents Kennedy and Johnson. such a dilemma might develop where the final-offer procedure is used:

Mr. Cole suggested union bargainers might decide "we will make a more modest (wage) request than we have been holding out for, but we will put in all these work rules and things we like. The board . . . will like our money offer—they will think we are modest about that. So they will accept ours, and, boy, we will have a contract that will really do the job for us.

"Or, vice-versa, the employer may make something that looks like a generous wage offer, (but) put in a lot of working conditions the union cannot live with. But the board cannot separate them out—they have got to give the union the whole works."

The win-lose atmosphere of the final offer scheme troubles some labor-relations men. "The package selected . . . will be an imposed settlement that will represent a victory for one side and a defeat for the other," cautions W. Glen Harlan, Eastern Airlines' senior vice president for legal affairs, in a recent American Bar Association Journal article. Merton Bernstein, Ohio State University law professor, takes the problem a step further: "Anyone with labor-relations experience knows that whenever a winner and a loser may be identified, the leadership of the loser is likely, if only to regain face, to cause trouble."

While Messrs. Simkin, Cole and Kheel, all practicing arbitrators, have showed up to publicly question the final offer process during recent Senate hearings on the Nixon bill, only one specialist testified in favor of the measure. Other specialists have filed statements backing and opposing the bill. Almost every specialist stating an opinion, however, concedes the final offer procedure won't prevent all emergency transportation strikes.

Bernard Meltzer, a well-known arbitrator and law professor at the University of Chicago, maintains that the final-offer option would "stimulate both parties to engage in reasonable and responsible negotiations." While rating the process an improvement over the present mediation procedures, he admits "there are naturally some circumstances in which its availability might not produce the expected results in bargaining or in which its worthwhile sticking with the often untidy mediation procedures that now exist for a while longer—and for several reasons.

There are some indications that selective strikes—or lockouts—could be used more to create the pressure needed to produce voluntary settlements. The most recent major labor dispute on the railroads was voluntarily settled last August after an 18-day selective strike against 10 carriers by the United Transportation Union. And major maritime unions have recently pledged to work with management to try to voluntarily set up machinery that would lead to the binding arbitration of disputes.

Moreover, it appears that many of the transportation walkouts that were labeled "national emergencies" weren't really that damaging. Despite some White House efforts to downgrade its conclusions, no one has ever really refuted a study prepared in 1969 at the direction of then Labor Secretary Shultz. It determined that three Atlantic and Gulf Coast Longshoremen's strikes between 1962 and 1969 had a "minimal" impact on the national economy. Earlier this year, the Pay Board's staff concluded that the strike by West Coast dockers didn't create a national crisis either.

None of this adds up to what the administration is claiming for its plan: a sweeping, guaranteed solution to the problem of emergency strikes in the transportation industry. Other efforts to improve the present collective bargaining system are cautious and sometimes painful steps forward, not the kind of fundamental breakthroughs the administration is promising.

But the evidence indicates that the administration may well be overselling its solution. The arbitrators, mediators and academic experts closest to the problem generally agree that, at best, the administration proposal would not solve all crippling transportation labor disputes. At worst, it could often prove unworkable. Over the long haul, the continuing search for a better way to resolve emergency disputes may be hindered if the White House raises false hopes now.

Mr. Calame is a member of the Journal's Washington bureau.

Labor Law

6/24/72

Meany Cites 25-Year Experience:

Taft-Hartley Act Restrictions Proved Barrier to Organizing

The following is excerpted from an article by AFL-CIO Pres. George Meany in the June 18, 1972, New York Times on the 25th anniversary of the passage of the Taft-Hartley Act.

IT IS THE OPINION of every union official and organizer, and it is certainly my opinion, that the changes Taft-Hartley made in the Wagner Act have been major obstacles to organizing.

Some major segments of the economy, such as the southern textile industry, are today still substantially nonunion and low wage, and Taft-Hartley has surely played a major role in perpetuating those conditions.

Among the Taft-Hartley provisions that have had an anti-union impact are:

● The so-called employer free speech provision, which was specifically intended to sanction employer harangues to captive audiences of employes required to attend on company time. This sort of compelled listening is demeaning to the employes and is inherently coercive in its parading of the employer's power and authority over his workers. Two-thirds of the employers use captive audience speeches during organizing campaigns.

● Taft-Hartley required the NLRB to conduct a hearing before every election. This bogged down the board's election machinery and gave employers abundant time to pressure and brainwash employes.

● Taft-Hartley broadly prohibited secondary boycotts, thereby preventing unions from helping each other, although employers are under no such disability.

● The Taft-Hartley Act invites the states to legislate the compulsory open shop, while forbidding them to permit the closed shop. The 19 so-called "right-to-work" states are exactly one-half as organized as the rest of the country: union membership averages 16 percent of the nonfarm workforce, as against 32 percent in the rest of the country.

The main impact of the Taft-Hartley Act has been its adverse effect upon new organizing, and it has had relatively little effect where unions were already strongly established by 1947.

The act is largely concerned with regulating the conduct of employes and unions during organizing campaigns, and as Frank W. McCulloch, former chairman of the NLRB, has noted, "the bulk of [the NLRB's] unfair labor pratice caseload arises out of organizing and election situations."

Once a union has been recognized and accepted by the employer, the Labor Act is of only peripheral significance.

In consequence, the wage gap has widened during the years since 1947 between industries that were solidly organized then and industries that were then unorganized, or where the percentage of organization was too small for unions to bargain effectively, and where Taft-Hartley has blocked subsequent unionization.

The question remains as to what sort of revision of the Taft-Hartley Act the AFL-CIO would support.

In general, we would like to see two things done. First, the act should be strengthened to make real once more its purported guarantees of the rights to organize and bargain collectively. Second, the act should be revised so as to make it fair as between unions and workers on the one hand and employers on the other.

These problems are interrelated. For example, the act mandates prompt and drastic remedies against various types of union activities that are forbidden by the act and that have major impact upon employers. Among these union practices are secondary boycotts, jurisdictional disputes, hot-cargo clauses and organizational and recognition picketing.

Once a charge is filed that a union has engaged in a practice of this sort, the general counsel of the Labor Board undertakes, as a matter of priority, a preliminary investigation, and, if the investigation discloses "reasonable cause to believe that such charge is true," he is required by the act to petition the District Court for injunctive relief pending board hearing and adjudication of the matter.

THE VERY FAST and effective enforcement mechanism safeguards employers against all of these forbidden union practices, which are apt to be most harmful to employers.

In marked contrast, there is no provision for mandatory injunctions against employers, no matter how crass their violations of the act and no matter how injurious they may be to unions and workers. The commonest violation of the act, after nearly 30 years, is still the discharge of workers for joining a union. Ordinarily no remedy whatever is forthcoming in these cases for three or four years, during which the discharged employes may be thrown on relief and the organizing efforts will certainly be permanently thwarted. Is this even-handed justice?

Again, the Taft-Hartley Act provides for private damage suits by employers against unions for any violation of the secondary boycott and jurisdictional dispute provisions, but it affords no right of action to unions or workers against employers for any conduct, however unlawful or however harmful to employes or unions.

As long as the Taft-Hartley Act fails to protect the basic rights of workers and unions, and is heavily and unfairly slanted in favor of employers, unions must and will refuse to accept it and will and must seek to change it. It is not a matter of doctrinal dogmatism but of simple justice.

* * *

APPRENTICESHIP TRAINING gets a lift from Federal funds.

Uncle Sam plays a growing role as third partner in joint union-management apprentice training programs. Labor Department grants will help train 15,000 to 20,000 persons in "apprentice-entry" programs this year, up from 11,000 in 1965. Such programs, lasting a few weeks to a year, count toward fulfilling total apprenticeships of two or more years.

More than a dozen new bricklayers' programs sprout with Federal aid this year; in North Carolina, the bricklayers union enrolls 500 new apprentices. Similar programs start for pressmen, bakers, roofers, ironworkers. Besides opening jobs for youths and providing needed skills, the Federal efforts are intended to speed entry of Negroes into traditionally white apprenticeship programs.

Some unions, however, shun Federal aid, fearing "interference" in their apprentice se lection and standards.

* * *

MOUNTING JOB PRESSURES send s executives hunting more relaxed position

Executive Register, Inc., reports mor more ad agency executives seek jobs a pany ad managers; more security, le sure—even at less pay—are the lur

EV Labor Law — Sup. Ct.

Persecution of Mine-Mill Union Ends

The Mine, Mill and Smelter Workers Union finally is free of government harassment on charges of communist infiltration.

Two significant events in June cleared the union of major charges which had been hanging over it for more than a decade.

• On June 13, the U.S. Department of Justice joined with union lawyers in asking the Subversive Activities Control Board to wipe out an old order stating that the union was communist infiltrated. The Board agreed to do so and thereby wiped out a case brought against the union in 1955.

• On June 20, the United States Supreme Court, by a remarkable 9-0 vote, reversed lower court convictions of six past and present officials and employes of the union on a charge that they had conspired to defraud the government by filing false non-communist affidavits.

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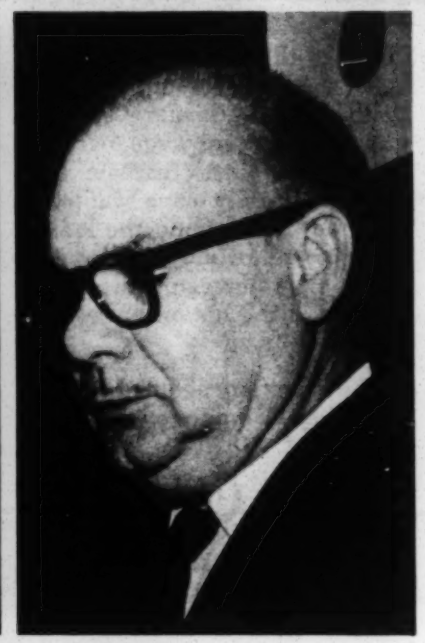
The conspiracy case dates back to 1956 and is almost incredible in its content. The history, briefly, is this:

Under the Taft-Hartley Act, as originally passed, officers of unions securing the services of the National Labor Relations Board were required to file affidavits stating that they were not communists. In 1956 fourteen officers and members of the union were charged by the government with "conspiring" to file false affidavits. Actually, only a part of this number were officers and filed affidavits of any sort — the others were merely charged with "conspiring" with those officers who did file affidavits.



Vindicated

Sec.-Treas. Irving Dichter, left, and Pres. A. C. Skinner, right, of the International Union of Mine, Mill and Smelter Workers were among the six officers and employes of the union whose convictions on a charge of "conspiring to defraud the government by filing false anti-communist affidavits" were reversed by the U.S. Supreme Court. Their vindication came after a ten year fight through the courts.

Later the section of Taft-Hartley requiring the affidavits was repealed, but still the government persisted in pressing the case. At various points during the following decade, eight of the 14 original defendants were removed from the case by acquittal, death and other causes, leaving six under charge.

The six were convicted in two different trials in U.S. District Court in Denver. On the first occasion, the Circuit Court of Appeals reversed the convictions. After this reversal, many people and organizations urged the Justice Department to drop the case. These included OCAW, with its then president, O. A. Knight, writing a letter to Robert Kennedy, at that time attorney general, urging him to drop prosecution. But the government persisted in re-trying the case, again there was conviction in District Court, with three year prison sentences and fines of $2,000 assessed against each of the six. And this time the Circuit Court upheld the conviction. Thereafter the case was appealed to the Supreme Court.

was 11 years old. In 1955, the Justice Department, petitioned the Board to rule that the union was communist-infiltrated. Seven years later, in 1962, the Board did so. But last November the Federal Court of Appeals returned the case to the Board on the grounds that the evidence was "stale."

In joining with the union to ask that the case be dropped (and this happened in advance of the Supreme Court ruling on the other case), the Justice Department as much as admitted that it had no evidence that would stand up in court.

The bulk of the evidence had to do with events in the 1940s with some even going back to the 1930s. Among the union activities branded in the case as "communistic" and as "evidence" that the union was "communist-infiltrated" were support for civil rights for Negroes and Mexican-Americans.

(Technically, the prosecution against the six on the conspiracy charge is still alive, since the Supreme Court only reversed the conviction and ordered retrial in District Court; however, there is virtually no doubt that the Justice Department now will move to drop the matter, in view of the strong position taken by the Supreme Court.)

Joining with and supporting the Mine-Mill people in presenting arguments to the Supreme Court were United Auto Workers, United Packinghouse Workers, Amalgamated Clothing Workers, Amalgamated Meat Cutters, American Federation of Teachers, International Typographical Union, Transport Workers Union, National Farmers Union and the American Civil Liberties Union.

All nine justices voted to reverse the conviction on the grounds that defense lawyers had not been allowed to examine grand jury minutes.

Justice Hugo Black, joined by Justice William O. Douglas, went further and sharply criticized the government and the trial court for refusing to allow the union men to question the constitutionality of the anti-communist section of the Taft-Hartley Act.

Justice Black remarked, "I must say with considerable regret that future historians reporting this case may justifiably draw an inference that it is the petitioners (the union men) and not the Government who have been defrauded."

The six men involved are A. C. Skinner, now president of Mine-Mill; Irving Dichter, now secretary-treasurer; Raymond Dennis, executive board member; Charles Wilson, international representative; Harold Sanderson, administrative assistant; and M. E. Travis former secretary-treasurer, who has not been with the union for many years. Four of the six — Dennis, Dichter, Travis and Wilson — were officers at the time and signed affidavits. Skinner and Sanderson were not officers at the time and did not sign affidavits.

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The case against the Mine-Mill union before the Subversive Activities Control Board

Individual Contracts

Valid with a Union K only if –

1) deals with matters outside Union K
2) Not inconsistent with K
3) Does not attempt to influence organ. or bargaining.
4) Does not undercut the agreement
5) Does not bind the employer to do things not required under K.

Cite: J.I. Case Co. vs NLRB., US. Sup. Ct., 1944
14 LRRM 501

Cloud is cast if Union has agreed to allow individual bargaining (Midland Broadcasting v. NLRB 1951,)

Section 301 of T-H allows suits – by Union but not for purely personal rights.

Can sue to enforce Arbitration TWUA vs. Lincoln Mills (1957)
Also for Breach of K – esp. a provision requiring the employer & Union to negotiate on salary rates for new job classifications (Petroleum Workers v. Esso. Oil. Co., CA 3, 1956, 38 LRRM 2307.

Breach of Contract may go to State Courts

* Is the Violation of K also a Violation of T-H, then can go to NLRB (Sbizza, Inc., NLRB 1941)

If it is Unfair Labor Practice

Enforceable by NLRB through CA & effect of a decree esp. — Repudiation of Cal. Bag.

& any Unilateral wage increase in derogation of the K's wage terms, like any other Unilateral action may indicate a refusal to bargain

LRX 104b #33

* Nonetheless Arbitration may be simplest route

If claim Merit increase

What was plan, Procedure

Timing, general applicability, factors

[Generally recognized that employer must bargain with Union on merit increases (NLRB v. J.H. Allison & Co., CA6, 1948, 21 LRRM 2238)

* [And on request furnish information to Union as to wages paid to individual employees & (Cont)

UFLP - Sec 8 - TH

(3) Provided - Individual can present grievances - } 9(a) Exclusive resp. for rates of pay, etc -

(cont) Union needn't show exactly why such information is needed for negotiating or for policing the contract.

NLRB v. Woolworth Co, U.S. Sup Ct., 1954, 39 LRRM 2151)

If it is Unfair Labor Practice then to NLRB — before Courts.

If AN Arbitration award conflicts with the law, then NLRB may ignore & proceed

If the Union "allows" individual contracts then NLRB may view Union with suspicion

LABOR Problem

The Local Union

The Main Cog

on the

What do you think

For MARSHFIELD

Social Security
Disability
Waiting period

Individual Bargaining by
Officer
Member

What role of Law
L-G on removal of officer for cause
L-G - Disciplining Standards

Right to Co info to prove cause

Whether to threaten Co. with unfair lab. practice

Pamphlets on Rt. to Work
(Director)

Independent Bargaining

Union Lab Rept.
Sec. "Grievances
Individ. Empl. K.

Better Check <u>State Law</u>

LRX
✓ Individual Bargaining

Merit Increase

Labor Arb. Reports
Contracts with Union: Individual K's

Internal Affairs of Union

May file

└ NLRB, Sup Ct. Ruling, Wis. Sup Ct. Ruling.

└ also may collect in court

L-G Requires, report procedure for imposing fines

L-G Requires standards for disciplining Actions

NLRB & Courts

└ May pull Union benefits such as loss of insurance rights, for failure to pay fines — May expel and otherwise "damage economically" if it is in accord with Union rules and Union imposed penalties (from Union sources — not Co. insurance, e.g.)

<u>However</u> may not jeopardize job, pension, etc

May collect by check-off

But not compulsory or endanger job rights —

1954 — Maintenance of Membership Contract

Compulsory meetings — fined for failing to attend

then refused to accept dues

Co. called employee in — told him he should

pay dues & that Union would accept without

the fine — Worker refused (question of notice of rules change to employee)

Co. fined — NLRB said wrong, but Court

upheld Co action

Fee for grievance handling — no

Right not to handle grievances for failure to

pay assessments — No

Union may control internal Affairs

But grievance handling is not internal

Can't put extra charge on those not [paying on time / attending meetings]

Can give rebate for [attending or] paying ~~by~~ on time

NLRB — No But USCA — yes.

✓Fines

✓Reports — Look at "trimmed form."

→Trusteeships (Define)

18 mos. audit — for Cause in accord
6 mos reporting — with Unions Const.

Limits on Voting

Elections 3 yrs. 4 yrs 5 yrs
Booklet — L Local Intermediate L Int'l.
Later Rulings —

If Const'l or Executive then election required
For Local: Secret ballot
Reasonable opportunity to Nominate
Right to Run (Uniform rules)
Mailed Notice not less than 15 days
Preserve Records 1 year

Convention Delegates — if they elect
No dues or assessment money

T-H

1) Unfair Labor Practices of Employer

2) Unfair Labor Practices of Unions

3) Representation - How determined

4) Established NLRB (5 Man) & Independent Counsel

5) Regulation of Certain other Trade Union activities

Bargaining Process

Issues — Whether must bargain over

Must Bargain - Good faith

Union Security

CHRONOLOGY

Duty to Bargain

I The bargaining agent — represents a majority of Unit

Employer may require Certification if he has good faith doubts about majority

NLRB required to use secret election

However, card check allowed when best available evidence and cards indicate what they say

Empl. must bargain for certification year (new Union) even if Union loses majority during year

Can't refuse bargain if unfair practices caused Union defection

If no certification, Union must clearly state the Unit it claims or Empl. can refuse

II Request for Bargaining — initiation from Union —

Empl. no duty to act when Union requests.

Duty to Bargain

III Good faith

A. Initial Demands

Neither party may insist on acceptance by other as condition for bargaining on other issues.

B. Negotiations

Required to Negotiate

More than going through motions of bargaining

Not compelled to agree to a proposal

Must make, on request, a counterproposal of some sort — need not concede —

May decline to make a 2nd counterproposal

Must put agreement in writing & sign if requested

Look to whole record for bad faith

Possible indicates of bad faith

a) delaying tactics

b) refusal to discuss Union proposals

c) withdrawal of concessions previously granted.

d) undermining Union position

Duty to Bargain
III Good Faith
B Negotiations (cont)

Furnishing data

On request of wage rate, job classifications and other to permit Union

1) To Bargain Understandingly
2) administer current contract
3) Prepare for Negotiations

Examples of 1)–3)

Time Study & IE data
Seniority lists
hours worked
merit increases and ratings
changes in productivity
Pension (employee age, etc.
group insurance (premium costs, even where Empl. pays whole cost]

+ Financial condition of Co – if Empl. plea is econ. inability to pay. [doesn't have to prove he is right]

Union may not (demand) specify exact form of data

Duty to Bargain

C. Subjects for Bargaining

1) Mandatory 2) Voluntary 3) Illegal (those things against law)
└ closed shop
featherbedding

1. Mandatory

Union Security
Seniority
piece rates
merit raises
Sub-contracting work
Lunch periods
Price of meals (Co. Cafe, where no other place)
No-strike clauses
grievances
discharge
retirement & pension plans
Some profit sharing & Stock Pandas
Transfer of employees (plant removal)
Co. owned houses
Changes in wage & conditions

2) Voluntary

Not related to wage or conditions — may be incorporated in K if other party agrees
"Adamant insistence that" the other party agree may be unlawful refusal to bargain (LRX)

e.g. relations between union and members
Size of bargaining team
Organize industry before bargain
Performance bond

Validity of of non-Solicitation, no-distribution rules where <u>Employer</u> Engages in anti union

LRX 617 #32

Employer's acts ~~in all~~ will not in all cases give Union some rights — Courts set some guides

1) Did Union request relaxation of rule. Employer does not have to volunteer

2) What was effect of Employer act on ability of union to reach employees

~~3)~~

If there is general no solicitation rule

If done mildly — (LRX 621)

Doing organizing — Wage increase, settle grievances, good rating

Unilateral changing of working conditions after questioning workers as part of defeat Union Campaign — Illegal

Supervisors "suggesting" an anti-Union petition to employees. But did employers approach Co. first —

Unfair

Espionage & Surveillance — Any real check on union meeting etc.

Kodlar (case as recent as 1960)

Investigate part of union officials

Employee attitude toward strike

Activities of union officials

Surveillance

Even to foster impression of is illegal

LMRDA — Disclosure provisions for certain payments

Violence or threat of violence against organizers, picketers etc.

Unfairness under NLRA - 1947

1) 80 day emergency strike injunctions
goes against Union only

2) Injuncts for Unfair labor practices
only against Unions [e.g. not on refusal to bargain]
<u>Must</u> be requested by General Counsel if he
has reason to believe that empl. allegations
are true — in Secondary cases.

Kern County Farm Labor Union case
Gen Counsel supported employer —
refusal to bargain, not covered
Then - Secondary Boycott, Gen
Counsel sought injunction —
later overruled

3) Sweeping ban on ~~all~~ secondary activity
e.g. employer can still shift struck
work to another plant, but union can't
follow it —

Unfairness Under NLRA-1947 — (2)

4) Sect 8(c) "Free Speech"

Can you evaluate without circumstances

prophecy

5) Economic Strikes

Amend — 1959

Is it Sufficient — 12 mos

election usually not until after 12 mos in

employer can "usually" replace

So is mar-replaceable

6) Featherbedding

Right to protect jobs

Employer (rightly) not limited by law in

measuring work of workers without extra pay.

7) Extent of organization

Not given controlling weight in determining Unit

2-plant Unit, union only organized one, election is

for both. (Does this encourage bargaining)

8) Damage Suits

Allen Auto Case — Bakach p 29

NLRB — Not Unfair (secondary activity)

Jury — awarded damages for illegal 2nd

CCA — upheld both decisions.

Unfairness Under NLRA - 1947 — (3)

9) Jurisdictional Disputes

NLRB rubber stamps Co. choice

Can be between Union and non-Union group

(does this encourage bargaining)

10) Exemptions

Supervisors

Foremen

Definition and exclusion (Barbash p. 31)

Agricultural workers

Problem of delay

6.8 80"
19
99"

Cover — T-H

Sec 302

Payments to employee reps
& Solicitations by employee reps

Sec 303

Unfairness.

80 day emergency strike injunctions — goes against Union only

Unions affected by prohibitions, but not subject to protections

in some cases —

even if ct. upholds Union, may be too late

Bakersh case of Gen. Counsel seeking injunction, getting

in spite of Field examiner report & eventual Bd. reversal

but in meantime strike was lost — employees don't forget

Such a situation

Look over on up

Fleming — T-H Awards of 1959

Concerted action and picket line observance

When is individual action protected
as against his employer
must there be a K clause —

Bargaining over Automation changes

Legal obligation to bargain — a continuing responsibility

However, was it disposed of in last negotiations
└ discussed, settled, rejected

If not, refusal to bargain could be UFLP

Unfair — if matters Services
Not covered by Contract
└ Mag. Rights

Unilateral action & refusal to bargain

Union duty to request negotiations

Also

Management Rights Clause or other clauses —
Can they be read so that changes are "encircled"

UNIVERSITY OF WISCONSIN
SCHOOL FOR WORKERS

THE IMPACT OF LABOR LEGISLATION ON THE LOCAL UNION

We examined the functions of a local union, which are: 1) to organize and educate (a continuing activity); 2) to administer the contract and the affairs of the local union; and 3) to bargain collectively, both for the contract and on a day-to-day basis in the grievance procedure. Other activities of a local, such as community services, recreation, public relations and political action are related to the three primary functions.

We then discussed the impact of labor law on these three primary functions of the local, concentrating on the effects of the Taft-Hartley law:

1. Impact of TH on organizing:

- Section 7: rights of employees.
- Section 8: unfair labor practices by employers and unions, "free speech" for employers.
- Section 9: representation proceedings, matters subject to exclusive representation, provision for individual bargaining, determination of bargaining unit, election proceedings, 12 month limitation, exclusion of economic strikers from protection of Act, decertification of union as bargaining agent.
- Section 10: prevention of unfair labor practices, hearings, cease and desist orders, affirmative orders to reinstate, problem of discharge "for cause", provisions for use of injunctions.

The impact of state laws and local ordinances on organizing was also discussed with particular emphasis on the South.

2. Impact of TH on local union administration:

- Problems relating to Board (National Labor Relations Board, NLRB) action in unfair labor practices cases and representation proceedings, court actions as result of NLRB actions, the individual bargaining proviso, filing requirements, suits by employers or unions for damages in federal courts, restrictions on check-off, limitations on health and welfare programs, limitations on political contributions in federal elections.

The effects of State laws, including the Peace Act, the Catlin Act and Health and Welfare Registration, were also discussed.

3. Impact of TH on collective bargaining:

- Section 8d: definition of collective bargaining, notice requirements for termination or modification, subjects of bargaining, the continuing duty to bargain, effect on individuals who strike during 60 day "cooling off" period.
- Section 14B: "State's Rights" section dealing with limitations on union security: the "Right to Work".

We also discussed the impact of TH on certain types of strikes and the effects of certain state laws and local ordinances.

Among other laws discussed in relation to their application to the local union and its members were:

1. Social Security - as it affects pensions, protecting the wage scale and maintaining purchasing power among the retired, dependent and disabled.

2. Fair Labor Standards Act (Wage and Hour Law) - as it affects purchasing power in low wage areas and occupations, as a foundation on which collective bargaining can build.

3. Walsh-Healy Act (Public Contracts) - as it affects the establishment of labor standards on government contracts.

4. Unemployment compensation - as it affects SUB bargaining, purchasing power of laid off workers, maintaining the wage scale in face of unemployment, maintaining a skilled work force in the community.

5. Workmen's Compensation - and its affects on purchasing power, protection of the wage scale.

6. Wisconsin Peace Act - as it affects union security agreements, enforcement of duty to arbitrate, strikes.

7. "Right to Work" laws - as they affect union security bargaining, labor-management relations generally, collective bargaining, union administration.

8. Other types of legislation: tariffs (as they affect sales), river valley authorities (as they affect industrial development and purchasing power), highways (as they affect purchase of equipment, employment of workers), taxation (as it affects purchasing power), farm price supports (as they affect the farmer as the purchaser of factory made products).

In conclusion, it was suggested that labor and other laws have a great impact on the local union and its members and that interest and participation in the legislative process are not only important to the union: they are essential.

Commonwealth of Pennsylvania Versus Cordwainers

1805 - 1806

Background of the case: ... As a result of a short strike in 1804, the Society of Cordwainers (shoemakers) of Philadelphia gained a piecework rate of $2.75 per pair of boots. But after Christmas of that same year the masters reduced the price to $2.50. The Society took a vote and the majority voted for a turnout (strike). The strike was lost. During it George Pullis and seven other journeymen were arrested. They were charged with the crime of conspiring to raise wages and prevent non-members from working at the shoemaker trade.

The prosecution stated:

1. The object of the Society of Cordwainers was to procure high prices for their work and to compel the employers to accede to their terms. The Society sought to accomplish this objective by punishing those who opposed them, workers or employers. This was a crime against those whom they injured and against the welfare of the state.
2. A combination of workmen to raise their wages was a crime under English common law, and therefore also was a crime under the common law of Pennsylvania which was based on English common law.
3. A combination of workmen interfered with the natural laws of supply and demand and would disturb the growth of manufacturing.

On behalf of the eight men on trial, the defense stated:

1. Workers in the state of Pennsylvania were free to associate themselves for the betterment of their conditions. This was an exercise of the freedom guaranteed to Americans.
2. English common law does not apply to the U.S.
3. It was not a crime for a man to refuse to work with another man.
4. The price of labor would be bargained between masters and employees.

What do you think was the verdict of the jury and on what grounds do you think it relied? (Use reverse side of paper for notes)

Commonwealth (Massachusetts) versus Hunt
1840 - 1842

Background of the case:

Jeremiah Horne, a member of the Boston Journeymen Bootmakers' Society broke one of the Society's rules and was required to pay a fine. When Horne refused, the Society demanded his discharge and in accordance with the prevailing practice, Waite, his employer, discharged him.

Samuel Parker, the district attorney of Boston, secured an indictment against Hunt and six other leaders of the Bootmakers' Society charging them with criminal conspiracy.

The district attorney contended:

1. The common law of England concerning conspiracy applied to this case.

2. Under the English laws a combination of workmen to raise their wages was an unlawful conspiracy. He cited previous cases which supported the conspiracy doctrine.

3. Workers' organizations which compelled members to pay dues and compelled employers to employ or not to employ particular workers, were tyrannical, illegal and were conspiracies that should be suppressed.

4. The Boston Society was a criminal conspiracy to oppress and impoverish both employers and nonconformist workers.

Rantoul, the attorney for the defendants argued the case on the following grounds:

1. The state did not adopt all of England's common or statutory laws.

2. The English laws were based on property rights which sacrificed the right of laboreres to the ruling classes.

3. While a combination may become a criminal conspiracy if it is for the purpose of doing an unlawful or criminal act, the purpose of these defendants was not to be either unlawful or criminal, and therefore their combination could not be a criminal conspiracy.

The jury brought back a decision of guilty. The case was appealed and was heard before Justice Shaw of the Massachusetts Appellate Court.

Do you think Justice Shaw upheld the lower court's decision and on what grounds did he base his decision?

_____

_____

_____

_____

United States versus Debs
1894 - 1895

Background of the case:

The town of Pullman, outside of Chicago, Illinois, was a so-called "model company town." In 1893, a panic and depression hit the country and adversely affected the Pullman company. The company promptly cut wages of the workers by more than 30% but did not cut the shareholders dividends nor did it lower the rent of the workers' homes which it owned.

When a grievance committee was sent to present the workers' requests, they found Mr. Pullman noncommittal. However, the following day three members of the grievance committee were fired. The workers decided to strike.

After a few weeks the Pullman strikers appealed for a sympathy strike to Eugene Debs and the American Railway Union. Debs announced a boycott on Pullman Palace cars. The Pullman Company was able to arrange that cars carrying the U.S. mails be attached to the Pullman cars, so that when a switchman cut out a Pullman car, the car carrying the mail was also automatically cut.

The General Managers' Association, made up of railroad executives, knew that J.P. Altgeld, then governor of Illinois, would not use the state militia to crush the strike. They enlisted the aid of Richard Olney, Attorney General of the United States, who issued an injunction. Olney was able to get President Cleveland to send in federal troops.

Debs and three other leaders were arrested on the charge of contempt of court for violating the injunction. The case came before the Supreme Court.

The Attorney General based his case on the grounds that:

1. The union was a criminal conspiracy to obstruct the U.S. mail.
2. The union was a monopoly which by its strike interrupted interstate commerce and violated the Sherman Anti-trust Act.

The arguments presented by the defense were:

1. The activities of the American Railroad Union could not be considered an unlawful conspiracy because they were directed merely toward bringing about an adjustment of differences between the Pullman Company and its employees.
2. If the workers' refusal to work to the railroad company did interfere with interstate commerce, it was still not a crime.
3. The government's injunction should have been dismissed because the complaint was aimed at preventing interference, not with government property, but with private property.
4. If the defendants were guilty of a crime, the interference with U.S. mails, they should have been tried in a criminal court.
5. The Sherman Act did not apply in this instance.

What decision do you think the Supreme Court rendered and why?

_____

_____

_____

_____

Loewe versus Lawlor
1902 - 1913

Background of the case: The Loewe hat factory in Danbury, Connecticut was unorganized and the leaders of the United Hatters of North America decided to organize it. Loewe refused to have a union in his shop and a year passed before the union again requested him to negotiate a contract. This time the union leaders called a strike. A group of anti-union manufacturers financially supported Loewe in his fight against the union. The strike was lost and after several months Loewe reopened the plant with non-union labor.

At the request of the United Hatters, the AFL placed the Loewe firm on its "we don't patronize" list. The company filed actions against the union for violating the Sherman Anti-Trust Act, claiming damages of $240,000 and attached the homes and bank accounts of 248 individual members of the union.

The case was argued before the U.S. Supreme Court. The counsel for the plantiff claimed:

1. The Sherman Anti-Trust Act applied to unions.

2. The United Hatters of America, dominated by the AFL, violated the Sherman Antitrust Act.

3. It was a conspiracy to restrain interstate commerce.

4. And if plaintiff's charge was upheld, that individual hatters and the union both would be liable for triple damages under the Sherman Act of about $250,000.

The attorney for the defendants contended:

1. Since the defendants admittedly were not in interstate commerce, had not aimed to restrain it and had used no means which directly did so, the Sherman Act was not applicable.

2. The Sherman Anti-Trust Act did not apply because there had been no lessening of the general flow of interstate just a diversion from one manufacturer to another.

3. If such indirect influence as interference with production came under the Sherman Act, then all strikes would be contrary to law, since every strike might necessarily diminish the amount of production in interstate commerce.

4. The activities of the defendants were lawful since the sole purpose of their activities was merely the improvement of working conditions by means of organization.

5. And even if the Union's contentions were not upheld, that membership in the union did not make them liable as members of a conspiracy.

What decisions do you think the Supreme Court rendered and why?

_____

_____

Truax versus Corrigan
1916 - 1921

Background of the case:

The Arizona legislature recognized the workers' right to combine to protect and raise their living standards. It passed a law prohibiting the courts from issuing injunctions in labor disputes "concerning terms and conditions of employment, unless necessary to prevent irreparable damage to property or to property right of the party making the application, for which injury there is no adequate remedy at law ...".

Against this setting, a case arose involving the use of injunctions, property and picketing rights.

Truax owned a restaurant which employed 10 people. He told his employees that he intended to cut their wages, whereupon the workers, members of the Cooks and Waiters Union of Bisbee, Arizona called a strike. There was no violence and the picketing was peaceful. Truax's business dropped. The state courts upheld the union's right to strike and picket on the grounds that the Arizona law granted the right to organize and mainain working conditions by peaceful means.

Subsequently Truax went to court again and raised the new issue that a state law restricting the use of injunctions in labor disputes was unconstitutional and violated the 14th amendment of the United States Constitution which provides for "due process."

Truax's counsel argued:

1. The Arizona law forbidding injunctions in labor disputes was unconstitutional.
2. The law was "class legislation." It denied the plaintiffs equal protection of the law since the interpretation of the statute by the Arizona courts discriminated against the plaintiffs and their property as a class.
3. The mere fact of picketing was in itself coercive.
4. The union's acts constituted an unlawful secondary boycott.

The counsel for the defendants contended:

1. The sole issue in this case was whether peaceful picketing permitted under the Arizona law was unlawful and deprived Truax of property right.
2. Picketing by the union was a means of communicating information to the public concerning the labor dispute.
3. The Arizona statute was not class legislation because it applied to a whole class of persons - employees, employers, and persons seeking employment and deprived no one of the equal protection of the laws.
4. The Arizona law was not unconstitutional since it resembled the Clayton Act which forbade federal courts to issue injunctions in labor disputes and which was not regarded by the court as depriving anyone of a property right.

What decision do you think the Supreme Court of the United States rendered and on what grounds did it rely? Was picketing declared unconstitutional and why?

_____

_____

National Labor Relations Board Versus Jones Laughlin Steel Corporation
1936 - 1937

Background of the case:

The Jones and Laughlin Steel Corporation had a company dominated union. However, the Amalgamated Association of Iron, Steel and Tin Workers chartered the Beaver Valley Lodge No. 200 of Pennsylvania for the purpose of organizing the plant.

The company union and the corporation resisted the unionization effort of Lodge 200. After hostile acts on the part of the company, the union filed charges with the National Labor Relations Act in its unfair labor practices in which the company had discharged thirteen employees for union activity, refused to reinstate them in their jobs, and discriminated against a union member by demoting him.

The board ordered Jones & Laughlin Steel Corporation to cease and desist from interfering with self organization of its employees and from discouraging union membership by discrimination.

The company refused to comply with the cease and disist order on several grounds including the contention that the Wagner Act was unconstitutional and also that Jones & Laughlin were not engaged in inter-state commerce. The board then petitioned the Federal Circuit Court of Appeals for the enforcement of the order. The Circuit Court stated that the board had no jurisdiction in this case.

The board then petitioned the U.S. Supreme Court. The heart of the case argued before the Supreme Court was the question as to whether Congress had power to enact the National Labor Relations Act regulating industrial relations between employer and employee.

The government's position was:

1. This act, which might appear to be a law for the regulation of industrial relations, was in reality a law designed for the protection of interstate commerce, and therefore, within the constitutional powers of Congress.

The attorneys for the company contended:

1. The law was beyond the power of Congress and that it was in violation of various provisions of the Constitution guaranteeing "due process," "freedom of contract," and the "right to a jury trial."

The attorneys for the company contended:

1. The law was beyond the power of Congress and that it was in violation of various provisions of the Constitution guaranteeing "due process," "freedom of contract," and the "right to a jury trial."

2. They charged that in enacting this law Congress used its jurisdiction over interstate commerce as a pretext for legislation which in reality was nothing more than regulation of labor relations, which was exclusively within the state, and not federal power.

What decision did the Supreme Court render and on what grounds did it base its decision? _____

_____

_____

United States versus Hutcheson
1940 - 1941

Background of the case: The International Association of Machinists and the Carpenters' Union, both having contracts with the Anheuser-Busch Brewing Company, disagreed as to who would do the work on an expansion of company facilities. The company assigned the work to the members of the machinists. Seventy-eight carpenters employed by Anheuser Busch left their jobs and picketed the plant. Other carpenters held sympathy strikes in other firms. In addition to the union published in its official publication, The Carpenter, an appeal to laboring men and the friends of organized labor not to patronize Anheuser-Busch beer.

Thurman Arnold, assistant attorney general of the United States, secured an indictment against William L. Hutcheson, president, and three other officers of the Carpenters' union. They were charged with criminal conspiracy to restrain interstate commerce. The Federal District Court found the defendants not guilty and the case was dismissed.

Arnold brought the case before the Supreme Court.

The government contended:

1. This was not a local dispute between employer and employee but a jurisdictional struggle between national unions, resulting in various strikes in many different places, imposing a direct and unreasonable burden upon interstate trade.

2. The defendants interferred with competition in every direction therefore coming within the prohibitions of the Sherman Act.

3. The action of the defendants could not be justified under the rule of reason since jurisdictional strikes directed against an employer were essentially unreasonable because the employer was powerless and had no control or means of settling such issues.

4. The Norris-LaGuardia Act was not applicable to this indictment since that act merely limited the equity powers of the federal courts in the issuance of injunctions but it did not change the rules of civil or criminal law.

The attorneys for the defendants argued:

1. The Norris-LaGuardia Act did not differentiate between strikes conducted for jurisdictional reasons and other strikes.

2. A jurisdictional labor dispute could not be termed a "crime" under the Sherman Act.

3. The Norris-LaGuardia Act was a declaration of policy concerning the right of labor to strike, which right must be held to be a normal and legitimate act of labor unions.

What decision did the Supreme Court render and why?

_____

_____

State of Alabama versus Byron Thornhill
1939 - 1940

Background of the Case: The workers of the Brown Wood Preserving Company, Inc. of Alabama organized themselves into a union and went on strike. The union maintained a 24-hour a day picket line at the plant's entrance. The company decided to reopen its plant. Byron Thornhill, a member of the picket line, approached a nonunion worker and asked him not to return to work. Thornhill was arrested and charged with violation of the anti-picketing law of Alabama. The case moved through the state courts which found Thornhill guilty.

At this point the AFL took up the fight and the case was appealed to the U.S. Supreme Court.

The union attorney contended:

1. The Alabama code was unconstitutional because it violated the rights of the individual to free speech guaranteed by the Constitution of the U.S.

The attorneys for the State of Alabama argued:

1. Freedom of speech and assembly were not absolute rights and that the state, as a matter of public policy, had the power to place restrictions.
2. The pickets were stationed to injure the company, not to advance their own interest.
3. Thronhill was a member of a large picket line which was not peaceful.
4. The statute was not unconstitutional because it did not bar him from striking or presenting his case, but from committing acts inherently wrong.

What decision did the Supreme Court render and why?

_____

_____

_____

_____

Form R-1
(Rev. May 1957)

Form Approved
Budget Bureau No. 44-R700.7

LABOR ORGANIZATION REGISTRATION FORM

Act of June 23, 1947, as amended (61 Stat. 136, 29 U.S.C. 141 et seq.).

4

TO: BUREAU OF LABOR STANDARDS,
UNITED STATES DEPARTMENT OF LABOR, WASHINGTON 25, D. C.

Section 9 (f) and (g) of the National Labor Relations Act, as amended, requires that the following information be filed with the Secretary of Labor and kept up to date annually, before the National Labor Relations Board is authorized on petition or charge of a labor organization to take certain action in representation and unfair labor practice cases. This report must be filed not only by any labor organization desiring to raise any such question before the Board, but also by any national or international labor organization of which such labor organization is an affiliate or constituent part.

CHECK ONE: First filing_____ Subsequent filing_____

1. FULL NAME OF ORGANIZATION (LOCAL NUMBER, IF ANY)

2. PRINCIPAL BUSINESS ADDRESS, (STREET, CITY, ZONE, STATE)

3. NAME AND ADDRESS OF PARENT NATIONAL OR INTERNATIONAL UNION, IF NONE, CHECK ☐ 1/

4. (a) LIST THE NAMES, TITLES, AND COMPENSATION AND ALLOWANCES OF YOUR THREE (3) PRINCIPAL OFFICERS WHO SERVED DURING THE PRECEDING FISCAL YEAR. COMPENSATION INCLUDES SALARIES OR FEES FOR PERSONAL SERVICES RENDERED. INDICATE THE MANNER IN WHICH THEY ARE ELECTED OR APPOINTED OR OTHERWISE SELECTED.

	NAME	TITLE	HOW SELECTED	TOTAL COMPENSATION FOR THE YEAR EXCLUDING ALLOWANCES	TOTAL ALLOWANCES FOR THE YEAR	LIST SEPARATELY NON-CASH ITEMS
				$	$	
1.						
2.						
3.						

(b) LIST THE NAMES, TITLES, AND COMPENSATION AND ALLOWANCES OF ALL *other* OFFICERS, EMPLOYEES AND AGENTS WHOSE COMPENSATION AND ALLOWANCES FOR THE PRECEDING FISCAL YEAR EXCEEDED $5,000. COMPENSATION INCLUDES SALARIES OR FEES FOR PERSONAL SERVICES RENDERED. INDICATE THE MANNER IN WHICH SUCH OFFICERS, EMPLOYEES AND AGENTS ARE ELECTED OR APPOINTED OR OTHERWISE SELECTED. IF NONE, CHECK ☐.

NAME	TITLE	HOW SELECTED	TOTAL COMPENSATION FOR THE YEAR EXCLUDING ALLOWANCES	TOTAL ALLOWANCES FOR THE YEAR	LIST SEPARATELY NON-CASH ITEMS
			$	$	

5. THE INITIATION FEE OR FEES WHICH NEW MEMBERS ARE REQUIRED TO PAY TO JOIN UNION IS $_____.
IF MORE THAN ONE RATE APPLIES, INDICATE:
MINIMUM $_____
MAXIMUM $_____

6. THE REGULAR DUES OR FEES WHICH MEMBERS PAY TO REMAIN IN GOOD STANDING ARE $_____ PER _____ (YR., MO., ETC.)
IF MORE THAN ONE RATE APPLIES, INDICATE:
MINIMUM $_____
MAXIMUM $_____ PER _____ (YR., MO., ETC.)

7. ARE PER CAPITA TAXES OR DUES RECEIVED FROM OR REBATED TO AFFILIATED ORGANIZATIONS? YES ☐ NO ☐
IF "YES," COMPLETE THE FOLLOWING:

AMOUNT OF INITIATION FEES RECEIVED OR RETAINED PER NEW MEMBER $_____

AMOUNT OF DUES $_____ RECEIVED OR RETAINED PER MEMBER PER _____ (YR., MO., ETC.)

1/ IN THE CASE OF A NATIONAL OR INTERNATIONAL UNION INDICATE FEDERATION OR OTHER AFFILIATION TO WHICH PER CAPITA DUES OR OTHER PAYMENTS ARE REGULARLY SUBMITTED.

NOTE.—If additional space needed to answer questions, attach extra sheet of paper marked with corresponding numbers.

8. *A copy of the constitution and bylaws of your organization is required to accompany this registration form on the initial filing; it must also be submitted with subsequent filings if it has been amended in any way.* Please indicate which paragraphs or sections of your constitution and bylaws show the procedure followed with respect to the items listed below. If your constitution does not cover each of the items specified, a detailed statement explaining the procedure followed by your organization with respect to the items not covered should be attached to this reply form and marked with the corresponding item number.

(*a*) Qualifications for or restrictions on membership . . . . . _____

(*b*) Election of officers and stewards . . . . . _____

(*c*) Calling of regular and special meetings. . . . . _____

(*d*) Levying of assessments . . . . . _____

(*e*) Imposition of fines. . . . . _____

(*f*) Authorization for bargaining demands . . . . . _____

(*g*) Ratification of contract terms . . . . . _____

(*h*) Authorization for strikes . . . . . _____

(*i*) Authorization for disbursement of union funds. . . . . _____

(*j*) Audit of union financial transactions. . . . . _____

(*k*) Participation in insurance or other benefit plans. . . . . _____

(*l*) Expulsion of members and the grounds therefor. . . . . _____

9. The financial report Form R-1(F), detailing receipts and disbursements, assets and liabilities, must be completed in full. (Note: A report of audit made and signed by a certified or licensed independent public accountant may be submitted in lieu of this financial report, provided that such report contains all of the information and in the detail requested in the financial report Form R-1(F).)

ATTENTION: A false statement submitted on or in connection with this registration form and financial report is punishable at law.

We, the undersigned, duly authorized officials of the above-named union, declare, under appropriate penalties of law, that the information submitted herewith (including the information contained in any accompanying documents) has been examined by us and is to the best of our knowledge and belief, true, correct and complete.

Signed at _____
(city and State)

this _____ day of _____ 19____. _____
President *(or chief executive officer)*

Signed at _____
(city and State)

this _____ day of _____ 19____. _____
Secretary-Treasurer *(or chief financial officer)*

If telegraphic service is requested in connection with this filing, it must be at your expense.

R - 1(F)
(Revised May 1957)
U.S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

LABOR ORGANIZATION FINANCIAL REPORT

STATEMENT OF ALL RECEIPTS AND DISBURSEMENTS FOR THE FISCAL YEAR
BEGINNING 19 AND ENDING 19

LINE			
1.	CASH BALANCE AT THE BEGINNING OF THE FISCAL YEAR		$----------
	Add:		
	CASH RECEIPTS		
2.	Dues (or per capita tax from affiliates)	$----------	
3.	Fees excluding work permits	----------	
4.	Work permits	----------	
5.	Fines	----------	
6.	Assessments	----------	
7.	Income from investments (Dividends, Interest, etc.)	----------	
8.	Receipts from sale of assets (Itemize in Schedule A)	----------	
9.	Receipts from sale of supplies (labels, buttons, etc.)	----------	
	Other receipts		
10.	From members	----------	
11.	From affiliated organizations	----------	
12.	From repayment of advances or loans (Itemize in Schedule B advances or loans to officers or staff)	----------	
13.	From other sources (Itemize in Schedule D)	_____	
14.	TOTAL CASH RECEIPTS (Sum of Lines 2 through 13)		$_____
15.	TOTAL CASH ACCOUNTABILITY (Sum of Lines 1 and 14)		$----------
	Deduct:		
	CASH DISBURSEMENTS		
16.	Per capita tax and assessments	$----------	
17.	Other payments to affiliated organizations	----------	
	Salaries — No. of Persons		
18.	Officers _____	----------	
19.	Staff _____	----------	
	Allowances		
20.	Travel and related expenses	----------	
21.	Other (Itemize in Schedule E)	----------	
22.	Advances or loans (Itemize in Schedule C advances or loans to officers or staff)	----------	
23.	Taxes	----------	
24.	Fees for legal services	----------	
25.	Fees for other professional services	----------	
26.	Office and administrative expenses	----------	
27.	Benefit payments to or for members or dependents	----------	
28.	Contributions, gifts, grants, etc. (Itemize in Schedule F contributions, gifts, grants, etc. to officers or staff not reported as salaries or allowances.)	----------	
29.	Publications, publicity, and educational expenses	----------	
30.	Purchase of assets	----------	
31.	Other disbursements (Itemize in Schedule G)	_____	
32.	TOTAL CASH DISBURSEMENTS (Sum of Lines 16 through 31)		$_____
33.	CASH BALANCE AT THE END OF THE FISCAL YEAR (Line 15 less Line 32)		$---------

Form R - 1(F)
(Revised May 1957)
U. S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

FINANCIAL REPORT SCHEDULES

(Attach separate statement if additional space is required.)

FULL NAME OF ORGANIZATION (LOCAL NUMBER, IF ANY)	FISCAL YEAR ENDING 19
PRINCIPAL BUSINESS ADDRESS. (STREET, CITY, ZONE, STATE)	

Instructions - Schedule A: Itemize any receipts from sale of assets included on line 8, Statement of Receipts and Disbursements, giving details with respect to each asset sold, except securities, inventory, equipment, furniture and fixtures.

Schedule A. - Receipts From Sale of Assets

Kind of Property (If realty give location)	Year acquired	Gross sales price (contract price)	Cost or other basis	Net value on the books	Expense of sale
		$	$	$	$

Instructions - Schedule B: List the name of any officer who repaid advances or loans, with the total amount repaid. List the name of any staff member who repaid advances or loans in excess of a total amount of $500, with the amount repaid.

Schedule B. - Repayment of Advances or Loans

Name	Amount
	$

Instructions - Schedule C: List the name of any officer who received advances or loans, with the total amount received. List the name of any staff member who received advances or loans in excess of a total amount of $500, with the amount received.

Schedule C. - Disbursement of Advances or Loans

Name	Amount
	$

Instructions - Schedules D, E, G, K and L: Separately identify each individual item representing one or more transactions during the year with an individual or organization if the total amount of such individual item is in excess of 25% of the schedule total. Grouping of other items under customary accounting classifications is permissible.

Schedule D. - Receipts from Other Sources

Item	Amount
	$
Total	$

Schedule E. - Other Allowances

Person	Amount
	$
Total	$

Schedule F. - Contributions, Gifts, Grants, etc. to officers or staff not reported as salaries or allowances.		Schedule G. - Other Disbursements	
Recipient	Amount	Item	Amount
	$		$
		Total	$

Schedule H. - Land and Buildings

1. Kind and location of property (Note: Indicate by use of an asterisk (*) property not included in the amount shown on Line 9-Balance Sheet.)	2. Year Acquired	3. Cost or other basis of valuation	4. Total depreciation charged, if any, on buildings since acquisition	5. Net value as shown on the books
		$	$	$

Instructions - Schedule J: List the name of any officer who has any advance or loan outstanding at the end of the fiscal year and state the amount. List the name of any staff member who has any advance or loan outstanding at the end of the fiscal year in excess of $500 and state the amount.

Schedule J. - Notes Receivable

Name of officer	Amount	Name of staff member	Amount
	$		$

Schedule K. - Other Assets		Schedule L. - Other Liabilities	
Item	Amount	Item	Amount
	$		$
Total	$	Total	$

Schedule M. - Assets Pledged or Used as Collateral or Security

Description of assets	Value	By whom pledged or used
	$	

☆ U. S. GOVERNMENT PRINTING OFFICE : 1959 O - 496386

BALANCE SHEET

STATEMENT OF ASSETS AND LIABILITIES

	Beginning of fiscal year 19		End of fiscal year , 19	
ASSETS *	Amount	Total	Amount	Total
Cash:				
1. Petty Cash.	$----------		$----------	
2. Revolving Funds	----------		----------	
3. Checking Accounts	----------		----------	
4. Savings Accounts.	----------		----------	
5. Cash on Hand.	_____	$ ----------	_____	$ ----------
Securities:				
6. Government Bonds.	----------		----------	
7. Nongovernment Bonds	----------		----------	
8. Corporate Stock	_____	----------	_____	----------
Fixed Assets (Net of Reserves)				
9. Land and Buildings (Itemize in Schedule H)[1/]		----------		----------
10. Furniture and Fixtures.		----------		----------
11. Notes and Accounts Receivable (see Schedule J)		----------		----------
12. Other Assets (Itemize in Schedule K).		_____		_____
13. Total Assets.		$ ==========		$ ==========
LIABILITIES AND NET WORTH				
14. Accounts Payable.		$ ----------		$ ----------
15. Notes Payable		----------		----------
16. Mortgages Payable		----------		----------
17. Other Liabilities (Itemize in Schedule L)		_____		_____
18. Total Liabilities		----------		----------
19. Net Worth - (excess of Assets over Liabilities) (line 13 less line 18).		_____		_____
20. Total Liabilities and Net Worth .		$ ==========		$ ==========

*NOTE: Assets used as security or collateral or otherwise pledged during the fiscal year must be itemized in Schedule M. If none, check: ☐ None

1/ Although Line 9 pertains only to property held in the name of the union, Schedule H should contain a description of all land and buildings owned by the union whether held in the name of the union, or trustees, or a building corporation for the union.

☆ U. S. GOVERNMENT PRINTING OFFICE : 1959 O -496386

Form NLRB-1085
(4-58)

5

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

DISTRIBUTION OF FINANCIAL REPORT CERTIFICATE

(Submit single copy only. Before completing, read the Instructions on the back.)

1. Fill in either A or B—B is for newly formed unions only.
   A. The Secretary of Labor has accepted the financial report of the union named below for its fiscal year which ended .....
   B. The Secretary of Labor has accepted the report of the union named below that it is a new union and that its *first* fiscal year will end .....
2. The union has furnished copies of that report to all its members in the following way(s). (Put an "X" in the proper box. If you gave copies to members in more than one way check all proper boxes.)

   (*Important:* The financial report shown by this form as having been distributed must be the report *finally accepted* by the Department of Labor.)

   A. ☐ We published a copy in our paper, or in a bulletin, which we distributed to all our members.
   B. ☐ We sent to each local constituent unit of the union named below enough copies for all its members, with instructions (*a*) to post a copy on the bulletin board or in a conspicuous place at the headquarters and meeting hall of the local, and (*b*) to announce to its membership at the next regular meeting that copies were ready for distribution to all members, and (*c*) to keep ready for distribution enough copies for all its members; which instructions have been carried out, to the best of my knowledge and belief.
   C. ☐ We mailed copies to all our members.
   D. ☐ (*THIS WAY MAY BE USED ONLY BY LOCAL UNIONS.*) We posted a copy in a conspicuous place at the headquarters and meeting hall of the local union, and announced at a regular meeting that copies were ready for distribution to all members.
   E. ☐ We used none of the above ways, but we distributed the report in the following way: (*If you need more space, write on a separate sheet of paper, and attach it to this sheet.*)

I, an officer of the Union, certify that this information is true to the best of my knowledge and belief.

.....
(Full name of Union filing this form, including local number if any)

.....
(Business address: Number, street, city, and State)

..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

....
(Date) (Signature) (Title of office)

5

INSTRUCTIONS FOR THE USE OF THIS FORM

WHO MUST FILE.—Every labor organization that wishes to use the facilities of the National Labor Relations Board must file this Form NLRB–1085, Distribution of Financial Report Certificate, to certify that it has furnished to all its members copies of the financial report accepted by the Secretary of Labor in satisfaction of Sec. 9 (f) and (g) of the act.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this Form NLRB–1085 with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this Form NLRB–1085 with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—This Form NLRB–1085 must be refiled each time your organization's financial report has been accepted by the Secretary of Labor. Do not file this Form until *after* your financial report has been accepted by the Secretary of Labor and you have furnished copies of that *accepted* report to your members. If you have received an extension of 90 days within which to file and distribute your financial report, remember that this Form NLRB–1085 *must* be filed together with the Department of Labor post card. A newly formed union which has not completed its first fiscal year must file this Form and the Department of Labor post card showing when its first fiscal year *will* end.

HOW TO PREPARE THIS FORM.

a. ITEM 1. Fill in the complete date of the end of the fiscal year which the report covered. If you are a new union, fill in the complete date on which your first fiscal year will end.

b. ITEM 2. Copies furnished members must be copies of the report finally accepted by the Secretary of Labor.

1. National or international labor organizations may use ways "A," "B," "C," or "E," or any combination of them, but must not use way "D." If way "B" is used, the instructions sent with the copies to the local union must cover "(*a*)," "(*b*)," and "(*c*)." No less than all three are acceptable.
2. Local unions may use any of the five ways or a combination of them.
3. If you check "E," you must remember, in describing the way you used, that—
   - (*a*) The method described must be very much like "A," "B," "C," or "D," or a combination of them.
   - (*b*) Neither posting the report nor reading it at a union meeting is alone enough.
   - (*c*) You must arrange to give copies of the report to all members or to make copies available to all members.
   - (*d*) If you distribute the report in a way like "B" or "D," you may use any effective method, such as giving a copy to each member personally, or placing enough copies on a table in the meeting hall and inviting members to take one if they want it.
   - (*e*) If you make the report available at a regular meeting of the union, you need not search out members not at the meeting to deliver copies of the report to them.
   - (*f*) If you hand out the report at the plant gate, shop, bunkhouse, etc., you must also announce at a regular meeting of the union that copies are there for all members, and you must post a copy at the meeting hall, in order to take care of members who were absent from work or otherwise missed outside the meeting hall.

c. CERTIFICATION:

1. Give the *full* name of your labor organization, including the local number, if any.
2. Fill in the business address of your organization, including number, street, city, and State.
3. Give the *full* name of the national or international union with which you are affiliated. If none, check the box.
4. Enter the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which you directly, or your national or international, are affiliated. If none, check the box.

EXAMPLE:
(Address omitted)

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union filing this form, including local number if any)

International Ladies Garment Workers Union ..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

AFL-CIO ..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

5. **DATE AND SIGNATURE:**

One of your officers must sign this certificate. Fill in date of signature and his title of office.

GPO 861667

Form NLRB-1080
(4-58)

6

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CERTIFICATE OF UNION OFFICERS

(Submit single copy only. Before completing, read the Instructions on the back.)

The title of each office listed in the constitution and bylaws of the Union named below, the name of the officer occupying each of these offices, and the date of expiration of his term of office is as follows: *(Please print or type. If you need more space, use a separate sheet of paper, and attach it to this sheet.)*

Title of Office	Name of Officer *(If office is vacant, so state)*	Expiration Date of Present Term *(Month)* *(Day)* *(Year)*

I, an officer of the Union, certify that this information is true to the best of my knowledge and belief.

(Full name of Union filing this form, including local number if any)

(Business address: Number, street, city, and State)

(Full name of national or international union of which this filing Union is an affiliate or constituent unit) If none, check ☐

(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit) If none, check ☐

(Date) (Signature) (Title of office)

WARNING.—The attention of persons filing this form with the Board is directed to U. S. Code, Title 18, Sec. 1001 (formerly Sec. 80), which provides that any person willfully making or causing to be made any false or fraudulent statements or representations in any matter within the jurisdiction of the Board shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

INSTRUCTIONS FOR THE USE OF THIS FORM

WHO MUST FILE.—Every labor organization that wishes to use the facilities of the National Labor Relations Board must file this form, signed by one of its officers.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this form with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this form with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—There must be an up-to-date form on file with the National Labor Relations Board at all times. This form MUST be renewed under the following circumstances:

a. Whenever there is a change of officers or offices of your organization.

b. Whenever a trustee or administrator is appointed to take over the affairs of your organization.

c. After every election of union officers, even though there is no change in officers.

d. Whenever the term of office of one or more of your officers changes.

e. Whenever there is a change in affiliation or name.

If your officers are not installed immediately upon election, you should advise the appropriate office of the National Labor Relations Board, as indicated under WHERE TO FILE, when they will be installed. Under such circumstances the old officers will be considered as holding over until the new officers are installed, provided that no affidavit of the old officers will expire prior to the installation date.

HOW TO PREPARE THIS FORM.—Completely fill out the reverse side of this form as follows:

a. TITLE OF OFFICE:

Write in this column the exact title of each office listed in your constitution and bylaws whether the office is vacant or not.

b. NAME OF OFFICER:

In this column show the name of the person occupying each of the offices listed in the first column. If any office is not filled, write the word "VACANT." If one person holds two or more of the offices, show his or her name opposite each office.

c. EXPIRATION DATE OF PRESENT TERM:

Write in this column the date the officer's term of office will expire. Be sure to give the month, day, and year.

d. CERTIFICATION:

1. Give the *full* name of your labor organization, including the local number if any.
2. Fill in the business address of your organization, including number, street, city, and State.
3. Give the *full* name of the national or international union with which you are affiliated. If none, check the box.
4. Enter the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which you directly, or your national or international, are affiliated. If none, check the box.

EXAMPLE (Address omitted)

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union filing this form, including local number, if any)

International Ladies Garment Workers Union ..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

AFL-CIO ..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

5. DATE AND SIGNATURE:

One of your officers must sign this certificate. Fill in date of signature and his title of office.

NOTE.—If you are submitting this form for the first time, you must also submit an "*Affidavit of Noncommunist Union Officer*" for each officer listed on the reverse side of this form. The "*Affidavit of Noncommunist Union Officer*" is known as Form NLRB–1081. If you are refiling this form it is not necessary that a new "*Affidavit of Noncommunist Union Officer*" be submitted for reelected officers if earlier affidavits on file with the National Labor Relations Board are less than one year old.

U.S. GOVERNMENT PRINTING OFFICE : 1959 — O–500890

Form NLRB—1081
(1-58)

7

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

AFFIDAVIT OF NON-COMMUNIST UNION OFFICER

(Submit single copy only. Before completing, read the Instructions on the back.)

The undersigned, being duly sworn, deposes and says:

1. I am a responsible officer of the Union named below.

2. I am not a member of the Communist Party or affiliated with such party.

3. I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

.....
(Full name of Union, including local number if any)

..... If none, check ☐
(Full name of national or international union of which this Union is an affiliate or constituent unit)

..... If none, check ☐
(Name of national federation of which this Union, or its national or international, is an affiliate or constituent unit)

Signature .....

Title of office .....

Residence .....
(Number and street)

.....
(City and State)

(The notary public or other person authorized by law to administer oaths must fill in completely all blank spaces below.)

Subscribed and sworn to before me this ..... day of ..... 19.....

A notary public or other person authorized by law to administer oaths and take acknowledgments in and for the county of ....., State of .....

My commission expires .....

.....
(Signature)

[SEAL]

WARNING.—The attention of persons filing this form with the Board is directed to U. S. Code, Title 18, Sec. 1001 (formerly Sec. 80), which provides that any person willfully making or causing to be made any false or fraudulent statements or representations in any matter within the jurisdiction of the Board shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

INSTRUCTIONS FOR THE USE OF THIS FORM

WHO MUST FILE.—This affidavit must be filed by each officer of a labor organization that wishes to use the facilities of the National Labor Relations Board. An affidavit must be on file for each officer listed in your constitution and bylaws. Where an officer holds more than one office, a separate affidavit for each office must be filed by him.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this affidavit with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this affidavit with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—This affidavit is good for only *one year* from the time it is signed and must be renewed each year. Each time a new officer assumes office, whether elected or appointed, he must file this affidavit. If an officer is reelected or reappointed, it is not necessary to file a new affidavit unless or until the affidavit on file with the National Labor Relations Board is one year old.

HOW TO PREPARE THIS AFFIDAVIT:

a. Read carefully items 1, 2, and 3 of this affidavit.

b. Fill in the full name of your labor organization, including the local number if any.

c. Give the full name of the national or international union with which your organization is affiliated. If none, check the box.

d. Enter the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which your organization directly, or its national or international, is affiliated. If none, check the box.

Example:

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union, including local number if any)

International Ladies Garment Workers Union — If none, check ☐
(Full name of national or international union of which this Union is an affiliate or constituent unit)

AFL-CIO — If none, check ☐
(Name of national federation of which this Union, or its national or international, is an affiliate or constituent unit)

e. The officer must sign his name in the presence of a notary or other person authorized by law to administer oaths.

f. The officer must give his title of office and full home address, including number, street, city and State.

☆ U. S. GOVERNMENT PRINTING OFFICE: 1958 O—454197

Form NLRB-3054
(11-57)

8

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CERTIFICATE OF INTENT

(Submit single copy only. Before completing, read the Instructions on the back.)

I, an officer of the Union named below, certify that within 90 days after the fiscal year ending .....,
(Month) (Day) (Year)
this Union intends to:

1. Refile the required financial report for such fiscal year with the Department of Labor;

2. Furnish copies of the report to its members;

3. Furnish the National Labor Relations Board with a copy of the notice received from the Department of Labor signifying that this Union has refiled the required financial report;

4. File Form NLRB–1085 (Distribution of Financial Report Certificate) with the National Labor Relations Board.

It is therefore requested that the National Labor Relations Board continue to process, during this 90-day period, cases in which this Union is an interested party. It is understood that any action taken in behalf of this Union during this 90-day period is subject to withdrawal, and all matters being processed by the Board in behalf of this Union may be subject to immediate dismissal, if compliance with Section 9 (f) and (g) has not been renewed by the end of the 90-day period.

.....
(Full name of Union filing this form, including local number if any)

.....
(Business address: Number, street, city and State)

..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

....
(Date) (Signature) (Title of office)

16—72770-2

INSTRUCTIONS FOR THE USE OF THIS FORM

GENERAL.—*This form, if filed within 30 days prior to the end of your fiscal year, may be used to notify the proper office of the National Labor Relations Board of your intent to remain in compliance with Section 9 (f) and (g) of the Labor-Management Relations Act of 1947.* ***It will not, however, extend the filing requirements under Section 9 (h), (affidavit of noncommunist union officer).***

WHO MUST FILE.—Every labor organization that wishes to use the facilities of the National Labor Relations Board during that period (not to exceed 90 days) between the end of the organization's fiscal year and the time it is able to file the required financial report with the Department of Labor and distribute the report to its membership, must file this form, or other written request containing the same information, signed by one of its officers.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this form with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this form with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—To receive the 90-day extension, this form or other written request **must** be filed with the appropriate office of the National Labor Relations Board **before your fiscal year ends.** Do not file it more than 30 days before that date. All matters being processed by the Board in your behalf may be subject to immediate dismissal if this form or other written request is not filed on time.

HOW TO PREPARE THIS FORM.—

a. Read carefully the entire statement contained on the face of this form.

b. Fill in the month, day and year on which your fiscal year will end.

c. Completely fill in the remainder of the form as follows:

1. Give the *full* name of your organization, including local number if any.

2. Fill in the business address of your organization, including number, street, city, and State.

3. Give the *full* name of the national or international union with which your organization is affiliated. If none, check the box.

4. Fill in the name of the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which you directly, or your national or international, are affiliated. If none, check the box.

EXAMPLE
(Address omitted)

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union filing this form, including local number if any)

International Ladies Garment Workers Union — If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

AFL–CIO — If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

5. One of your officers must sign this certificate. Enter the date of signature and his title of office.

U. S. GOVERNMENT PRINTING OFFICE 16—72770-2

Form NLRB-502
(8-55)

Form approved.
Budget Bureau No. 64-R002.9.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

PETITION

(10)

When this Petition is filed by a labor organization or by an individual or group acting in its behalf, the Petition will not be processed unless the labor organization and any national or international of which it is an affiliate or constituent unit have complied with section 9 (f), (g), and (h) of the National Labor Relations Act.

INSTRUCTIONS.—Submit an original and four (4) copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located.

If more space is required for any one item, attach additional sheets, numbering item accordingly.

SUBMISSION OF PROOF OF INTEREST.—Except when this Petition is filed by an employer under section 9 (c) (1) (B) of the act, there must be submitted with the Petition proof of interest in the form of dated authorization of membership application cards, or other documentary evidence signed by employees, together with an alphabetical list of their names.

DO NOT WRITE IN THIS SPACE
CASE NO.
DATE FILED
Compliance Status Checked By:

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority:

1. Purpose of this Petition (*Check only the one box which is appropriate*)

A. ☐ RC—CERTIFICATION OF REPRESENTATIVES (INDIVIDUAL, GROUP, LABOR ORGANIZATION).—A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner, and Petitioner desires to be certified as representative of the employees for purposes of collective bargaining, pursuant to section 9 (a) and (c) of the act.

B. ☐ RM—REPRESENTATION (EMPLOYER).—One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner as defined in section 9 (a) of the act.

C. ☐ RD—DECERTIFICATION.—A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative as defined in section 9 (a) of the act.

D. ☐ UD—WITHDRAWAL OF UNION SHOP AUTHORITY.—Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.

2. NAME OF EMPLOYER	EMPLOYER REPRESENTATIVE TO CONTACT	PHONE NO.

3. ADDRESS(ES) OF ESTABLISHMENT(S) INVOLVED (Street and number, city, zone, and State)

4a. TYPE OF ESTABLISHMENT (Factory, mine, wholesaler, etc.)	4b. IDENTIFY PRINCIPAL PRODUCT OR SERVICE

5. Description of Unit Involved (*If more space is needed, continue on another sheet*)

Included

Excluded

6a. NUMBER OF EMPLOYEES IN UNIT

6b. IS THIS PETITION SUPPORTED BY 30% OR MORE OF THE EMPLOYEES IN THE UNIT? ☐ YES ☐ NO

(*If you have checked box 1 A (RC) above, check and complete EITHER item 7a or 7b, whichever is applicable*)

7a. ☐ **Request for recognition as Bargaining Representative was made on** _____ (Month, day, year) **and Employer declined recognition on or about** _____ (Month, day, year) (*If no reply received, so state*)

7b. ☐ **Petitioner is currently recognized as Bargaining Representative and desires certification under the act.**

8. Recognized or Certified Bargaining Agent (*If there is none, so state*)

NAME	AFFILIATION
ADDRESS	DATE OF RECOGNITION OR CERTIFICATION

9. DATE OF EXPIRATION OF CURRENT CONTRACT, IF ANY (Show month, day, and year)	10. IF YOU HAVE CHECKED BOX 1 D (UD) ABOVE, SHOW HERE THE DATE OF EXECUTION OF AGREEMENT GRANTING UNION SHOP (month, day, and year)

11. Parties or Organizations Other Than Petitioner Which Have Claimed Recognition as Representatives, and Other Unions Interested in the Employees Described in Item 5 Above (*If none, so state*)

NAME	AFFILIATION	ADDRESS	DATE OF CLAIM (Required only if Petition is filed by Employer)

12. If you have checked box 1 A (RC) above, list locals or other affiliates of Petitioner having or soliciting members among the employees in the unit involved; or which will serve such employees in the event the Petitioner is certified as their representative (*If none, so state*)

I declare that I have read the above petition and that the statements therein are true to the best of my knowledge and belief.

_____
(Petitioner and affiliation, if any)

By _____ _____
(Signature of representative or person filing petition) (Title, if any)

Address _____ _____
(Street and number, city, zone, and State) (Telephone number)

WILLFULLY FALSE STATEMENT ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U. S. CODE, TITLE 18, SECTION 1001)

GPO 908533

Form NLRB-501
(9-53)

Form approved.
Budget Bureau No. 64-R001.6.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST EMPLOYER

Where a charge is filed by a labor organization, or an individual or group acting on its behalf, a complaint based upon such charge will not be issued unless the charging party and any national or international labor organization of which it is an affiliate or constituent unit have complied with section 9 (f), (g), and (h) of the National Labor Relations Act.

INSTRUCTIONS.—File an original and 4 copies of this charge with the NLRB regional director for the region in which the alleged unfair labor practice occurred or is occurring.

DO NOT WRITE IN THIS SPACE

Case No.

Date Filed

Compliance Status Checked By:

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

NAME OF EMPLOYER

NUMBER OF WORKERS EMPLOYED

ADDRESS OF ESTABLISHMENT (Street and number, city, zone, and State)

TYPE OF ESTABLISHMENT (Factory, mine, wholesaler, etc.)

Identify principal product or service

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8 (a), subsections (1) and ..... of the National Labor Relations Act, and these unfair labor
(List subsections)
practices are unfair labor practices affecting commerce within the meaning of the act.

2. Basis of the Charge (Be specific as to facts, names, addresses, plants involved, dates, places, etc.)

3. Full Name of Party Filing Charge (if labor organization, give full name, including local name and number)

4. Address (Street and number, city, zone, and State)

Telephone No.

5. Full Name of National or International Labor Organization of Which It Is an Affiliate or Constituent Unit (To be filled in when charge is filed by a labor organization)

6. Address of National or International, if any (Street and number, city, zone, and State)

Telephone No.

7. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By .....
(Signature of representative or person filing charge)

..... (Date)

..... (Title, if any)

WILLFULLY FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U. S. CODE, TITLE 18, SECTION 80)

GPO 943301

(12)

FORM NLRB-508
(7-52)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

Form Approved
Budget Bureau No. 64-R003.5

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

Where a charge is filed by a labor organization, or an individual or group acting on its behalf, a complaint based upon such charge will not be issued unless the charging party and any national or international labor organization of which it is an affiliate or constituent unit have complied with Section 9 (f), (g), and (h) of the National Labor Relations Act.

DO NOT WRITE IN THIS SPACE

CASE NO.

DATE FILED

COMPLIANCE STATUS CHECKED BY:

INSTRUCTIONS: *File an original and 3 copies of this charge, and an additional copy for each organization, each local and each individual named in item 1 with the NLRB regional director for the region in which the alleged unfair labor practice occurred or is occurring.*

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

NAME

ADDRESS

THE ABOVE-NAMED ORGANIZATION(S) OR ITS AGENTS HAS (HAVE) ENGAGED IN AND IS (ARE) ENGAGING IN UNFAIR LABOR PRACTICES WITHIN THE MEANING OF SECTION 8(b) SUBSECTION(S) _____ OF THE NATIONAL LABOR RELATIONS ACT,
(List subsections)
AND THESE UNFAIR LABOR PRACTICES ARE UNFAIR LABOR PRACTICES AFFECTING COMMERCE WITHIN THE MEANING OF THE ACT.

2. BASIS OF THE CHARGE *(Be specific as to facts, names, addresses, plants involved, dates, places, etc.)*

3. NAME OF EMPLOYER

4. LOCATION OF PLANT INVOLVED *(Street, City, and State)*

5. TYPE OF ESTABLISHMENT *(Factory, mine, wholesaler, etc.)*	6. IDENTIFY PRINCIPAL PRODUCT OR SERVICE	7. NO. OF WORKERS EMPLOYED

8. FULL NAME OF PARTY FILING CHARGE

9. ADDRESS OF PARTY FILING CHARGE *(Street, City, and State)*	10. TEL. NO.

11. DECLARATION

I DECLARE THAT I HAVE READ THE ABOVE CHARGE AND THAT THE STATEMENTS THEREIN ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY _____
(Signature of representative or person making charge)

_____ *(Date)*

_____ *(Title or office, if any)*

WILFULLY FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U. S. CODE, TITLE 18, SECTION 1001)

GPO 919384

OUTLINE OF LEADING NLRB RULINGS ON CONTRACT BAR DOCTRINE

A. NATURE OF AGREEMENT

1. Oral agreement is not a bar.
2. Members only agreement is not a bar. (Moreover, a members only contract which detracts from the Board certification not only is not a bar, but it will also result in revocation of the certification as well.)
3. Recognition agreement is not a bar. (For a contract to be a bar it must contain substantial terms and conditions of employment which are deemed sufficient to stabilize the bargaining relationship. It will not be a bar if it is limited to wages only.)
4. Contract which covers an inappropriate unit under Board policy or substantially departs from Board certification is not a bar. (Exceptions: inclusion of supervisors or guards in contract unit of production and maintenance workers does not remove contract as a bar.)
5. Where the contract commits the union, during term of contract, to refrain from organizing or representing employees not covered in the agreement, that contract bars a further petition by such union during its term.

B. DURATION OF AGREEMENT

1. A valid contract having a fixed term of duration constitutes a bar for as much of its term as does not exceed two years.
2. Contract with no fixed term is not a bar for any period.
3. Contract which is terminable at will is not a bar for any period.

C. TIMELINESS OF RIVAL PETITION

1. Rival petition is timely 150 to 60 days before the end of the contract term. (Extension of contract which is executed prior to the last 60 days of this period will be considered a premature extension which is not a bar. Extensions executed during or after this 60-day period will not be so considered.)

2. Petition filed during the 60-day insulated period will be dismissed as untimely regardless of conduct of contracting parties during this period.

3. Where the contract is one of "unreasonable duration" (more than two years), the insulated period will be the last 60 days of the reasonable period.

4. Contract executed on same day as filing of petition is a bar if it is effective immediately or retroactively and the employer has not been informed at time of execution that petition has been filed. (Contract is not a bar if the petition is filed prior to execution of the contract, regardless of employer knowledge. Cut off time is midnight, notwithstanding continuous bargaining.)

D. UNION SECURITY PROVISIONS

1. Contract is not a bar if its union security clause (note model on accompanying sheet) on its face fails to conform to the requirements of the Act or has been found unlawful in an unfair labor practice proceeding.

2. Contract is not a bar if the union security clause:

   (a) does not expressly grant old, non-union employees 30 days' grace;

   (b) is accompanied by a provision deferring the effectiveness of invalid clauses or attempting to rescind or amend them; or

   (c) may be interpreted as either lawful or unlawful because of ambiguity or generality of language used.

3. Contract containing union security provisions is not a bar if, within the year before the execution of the contract, a majority of the employees in the unit have voted to rescind the authority of the union to make such agreement.

4. Contract containing union security provisions is not a bar if the contracting union or its affiliated parent is not in compliance with the filing requirements of the Act. For the purpose of this rule, a union is deemed to be in compliance with the filing requirements if it meets <u>any</u> of the following requirements:

   (a) It was in compliance at the time of the execution or renewal of the contract; or

   (b) It received a notice of compliance within the 12-month period preceding the execution or renewal of the contract; or

   (c) It received a notice of compliance before the filing of the petition if initial steps to achieve such compliance were taken before the execution or renewal of the contract; or

(d) It achieved compliance after the filing of the petition if initial steps to achieve compliance were taken before the execution of the contract was achieved within a reasonable period of time.

(Evidence will not be received in representation proceedings for the purpose of determining the validity of union security clauses for contract bar purposes.)

E. SIGNATURE AND RATIFICATION OF AGREEMENT

1. Contract, to be a bar, must be signed by all parties before petition is filed. This is so even if the parties conclude negotiations and put into effect some or all of the provisions.

2. Only where the contract itself makes ratification a condition of its effectiveness shall the contract be no bar until ratified.

F. SCHISM IN CONTRACTING UNION

1. Contract is not a bar where the Board finds the existence of a schism warranting an election. The Board will find such schism if the following conditions are met:

(a) Local disaffiliation action must have occurred "in the context of a basic intra-union conflict * * * over policy at the highest level of an international union * * * or within a federation, which results in a disruption of existing intra-union relationships." (Local action unrelated to such a conflict is insufficient.)

(b) Disaffiliation action will be recognized where taken "at an <u>open meeting</u> called, without regard to any constitutional restrictions but with <u>due</u>

notice to the member in the unit, for the purpose of taking disaffiliation action for reasons relating to the basic intra-union conflict."

(c) Disaffiliation action must be taken "within a reasonable period" following occurrence of the conflict, and such conflict must result "in confusion unstabilizing the bargaining relationship;" that is, the employer must be "confronted with two organizations each claiming with some show of right to be the organization previously chosen by the employees * * * ."

G. UNIT EXPANSION (Numbers, classifications)

1. Contract is no bar if executed before any employees have been hired.

2. Contract, which is executed prior to substantial increase in personnel, is a bar if:

(a) 30% of the employees on the payroll at the time of the hearing were employed when the contract was executed; and

(b) 50% of the job classifications in existence at the time of the hearing were in existence when the contract was executed.

H. CHANGE IN OWNERSHIP OF BUSINESS

1. Assumption of the operations by a purchaser who in good faith has not bound himself to assume the contract of the prior owner of the establishment removes the contract as a bar.

2. Where the new owner executes a new agreement with the incumbent union, the only change being in the termination date of the agreement, all other terms remaining the same, the Board does not view this as a premature extension.

NLRB'S "MODEL" UNION SECURITY CLAUSE

For the guidance of negotiators, the NLRB has drafted a "model" union security clause providing the maximum security permitted by the Act. The text of the clause follows:

> It shall be a condition of employment that all employees of the employer covered by this agreement who are members of the union in good standing on the effective date of this agreement shall remain members in good standing and those who are not members on the effective date of this agreement shall, on the thirtieth day or such longer period as the parties may specify following the effective date of this agreement, become and remain members in good standing in the union. It shall also be a condition of employment that all employees covered by this agreement and hired on or after its effective date shall, on the thirtieth day following the beginning of such employment or such longer period as the parties may specify become and remain members in good standing in the union.

Keystone Coat, Apron & Towel Supply Co.
121 NLRB NO. 125 (1959)

15

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

COMPLIANCE STATUS OF INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS, AND HELPERS, AFL-CIO, and LOCAL 609, INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS, AND HELPERS, AFL-CIO

ADMINISTRATIVE DETERMINATION OF COMPLIANCE STATUS

On April 14, 1958, Plant City Welding and Tank Company, an Employer in interest in certain proceedings pending before the Board, filed a petition with the Board for an administrative determination of the compliance status of International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, hereinafter referred to as the International, and Local 609, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, hereinafter referred to as the Local. An administrative investigation was thereafter conducted on behalf of the Board. Since the facts are not in substantial dispute, it would serve no useful purpose to order a hearing in this matter. The Board has considered the entire administrative record herein and hereby makes the following determination:

The International's compliance status

The Employer alleges that the International has failed to meet the requirements of Section 9 (f), (g), and (h) of the Act in five respects.

(1) The Company maintains that in violation of Section 9 (f) (B) (2) the International furnished financial statements to its members for the fiscal years 1947 through 1957 which did not contain all the information required by the Act and which were not copies of the statements filed with the Secretary of Labor.

The International admits that the published financial statements were not the complete reports filed with the Secretary of Labor but contends that this allegation should be rejected because (a) each of the Journals in which the annual "Summary of Funds" was published also contains a letter from the International President and International Secretary-Treasurer which states: "All members are hereby notified that every Financial Secretary is in possession of a detailed financial report

prepared and certified to by Certified Public Accountants. Any member desiring to examine these reports is at liberty to do so by requesting the Financial Secretary of your Local Union to provide a copy of same"; (b) the fund headings, according to the International, adequately show in themselves the sources of income and purposes of disbursements, and there is no statement of assets and liabilities, as such, because all assets shown consist of cash and investments, it has no liabilities except transitory insurance premiums payable and a few benefit claims receivable; and (c) in addition to the detailed financial report it has furnished to the Secretary of Labor each year a printed copy of the Journal showing the "Summary of Funds" distributed.

Under these circumstances, and particularly the fact that the exhibits accompanying the Employer's Motion clearly establish that the above letter did appear with each summary, we are satisfied that the International made available to its membership the financial data required by Section 9 (f) (B).[1/]

(2) The Company also contends that the International has failed to meet the requirements of the Act in that the copies of the financial statements were furnished to fewer than its total membership.

We are satisfied that the International has taken reasonable steps to reach as many members as possible, and therefore conclude that it has met the statutory requirement in this regard.[2/] We do not believe that a union can be expected to search out each and every member in order to deliver a copy of its financial report before it may qualify under Section 9 (f) and (g). To impose so strict a requirement would undoubtedly have the effect of nullifying the rights of unions to file petitions and charges under the Act and would prevent employees from having the opportunity to select a union to represent them, inasmuch as it is doubtful whether this standard could ever be met. We do not believe that Congress intended such a result.

(3) The Employer also takes the position that there was a lapse in the International's compliance in that its financial statement for the fiscal year 1957 was distributed several days after the expiration of the 90-day grace period granted when it filed a certificate of intent, and therefore, under the

1/ See Compliance Status of Cigar Makers International Union of America, AFL-CIO, 117 NLRB 856.
2/ Ibid.

Board's decision in Monsanto Chemical Company, 115 NLRB 702, all pending proceedings should have been dismissed, and that,

(4) the International's forms NLRB-1085 for the fiscal years 1953 through 1957 were executed and filed at times when the financial statement had not yet been distributed; therefore, they contained false statements and the Board should find, on the authority of Compliance Status of Plaster Tenders, Construction, General and Shipyard Laborers' Local Union #802, International Hod Carriers, Building and Common Laborers' Union of America, AFL, 111 NLRB 742, that the International is not in compliance with Section 9 (f) and (g).[3/]

Near the end of each of the fiscal years in question, the International filed a certificate of intent to renew compliance under Section 9 (f) and (g) and was granted a 90-day extension of time in which to do so. Since the fiscal year ends on June 30, the 90-day grace period expired September 28 each year. Sometime in September of each of the years under consideration, the International filed its form NLRB-1085 certifying that it had published its financial statement in its Journal which was distributed to its members. However, the actual publication was in the October issue of the Journal, which was not distributed until October 1 or shortly thereafter. It thus appears that the facts alleged by the Employer are accurate. Nevertheless, we do not believe that the findings advocated by the Employer are warranted under the circumstances here present.

During the investigation the International advised the Regional Office that it had delivered the financial reports to the printer for printing and mailing prior to the execution and filing of the form NLRB-1085 and before the expiration of the 90-day period. Moreover, we note that the International's past history clearly manifests an intent to achieve full compliance.[4/]

3/ Allegations 3 and 4 are discussed together, since they relate to the same facts.

4/ This situation is, therefore, unlike that in either Monsanto Chemical or Plaster Tenders. In the former case, there was a delay of 3 weeks during which the financial statement was in the hands of the union, but distribution was delayed until its next regular meeting, whereas in the instant situation the distribution was within the control of the printer and the delay amounted to only a few days. In the Plaster Tenders case, the union stated in its form NLRB-1085 that it had posted copies of its financial report at its headquarters and had announced at a regular meeting that copies thereof were ready for distribution but in fact it had done neither of these things at any time, whereas here the statements in the form NLRB-1085 were substantially accurate.

Accordingly, we reject these contentions of the Employer.

(5) The Company maintains that a number of individuals, although not designated in the International's constitution as officers, are nevertheless officers who should be required to file Section 9 (h) non-communist affidavits.

The International's constitution provides as follows, in Article III, headed "International Officers":

> Section 1. The International officers shall consist of an International President, International Secretary-Treasurer, Editor and Manager of the official Journal, and sixteen (16) International Vice Presidents . . .

The Employer contends that, in addition, the incumbents of the positions of President Emeritus, Trustee, International Representative, District Representative, Business Manager, Member of the Executive Council, "Delegate to A. F. of L.", and Delegate to the Trade and Labor Congress of Canada are officers. However, it is clear that these positions are not designated as offices by the constitution. Therefore, none of the incumbents is an officer of the International within the Board's "constitutional" test, which the United States Supreme Court has approved as a "reasonable, if indeed not a compelling construction of the statute."[5/]

Moreover, even if we were to apply the interpretation of the constitutional test adopted by some U. S. Courts of Appeals [6/] (i. e., "identification" in the constitution by virtue of description of duties, manner of selection, etc., associated with a person holding office), we would be compelled to reach the same conclusion. Thus, the President Emeritus and Business Manager are clearly not within that interpretation, since they are not even mentioned in the constitution, and there is complete silence as to their powers and duties as well as to those of Trustees, International Representatives, District Representatives, and Delegates. In an analogous situation the U. S. Court of Appeals for the Fifth Circuit has held[7/] that the incumbent of such a position is not an "officer". Furthermore, even if Executive Council

5/ N.L.R.B. v. Coca-Cola Bottling Co. of Louisville, Inc., 350 U.S. 264. And see Compliance Status of Cigar Makers, supra.

6/ See, e.g., Goodman Mfg. Co. v. N.L.R.B., 234 F. 2d 775 (CA 7), cert. den. 352 U.S. 872; and Shoreline Enterprises v. N.L.R.B., F. 2d (CA 5, January 14, 1959).

7/ Shoreline Enterprises v. N.L.R.B., supra.

Members were held to be officers under this interpretation, such Members also hold other international offices[8/] and have filed affidavits as the incumbents of such positions, thus satisfying the requirements of Section 9 (h).

The Local's compliance status

The allegations relating to the Local's compliance approximately parallel those set forth above but are different as to detail.

(1) The Company contends that the Local has failed to comply with Section 9 (f) and (g) in that the financial reports distributed by it for the fiscal years 1955, 1956, and 1957 were not sufficiently comprehensive because they did not contain all the necessary information and were not copies of the reports filed with the Secretary of Labor; they were not posted as set forth in the forms NLRB-1085 filed with the Board; and they were distributed to fewer than its total membership.

The Local's fiscal year ends December 31. Each year the Local has certified to the Board that copies of its financial report were distributed by "/posting/ a copy in a conspicuous place at the headquarters and meeting hall of the Local Union and /announcing/ at a regular meeting that copies were ready for distribution to all members."

With respect to the Local's compliance at the close of its fiscal year 1955, the Local admitted during this investigation that because of the peculiar circumstances at that time copies of the report were, in fact, not distributed, although the details thereof were discussed at a meeting, the report was posted during the course of the meeting, and the members approved the report. It is apparent that the steps taken with respect to this 1955 financial statement were insufficient to meet the requirements of the Act. Section 9 (f) (B) (2) provides for distribution and leaves the Board no discretion to accept anything less. Accordingly, we must conclude that the Local's compliance at the end of fiscal 1955 was insufficient and its compliance had lapsed during the calendar year 1956.

8/ The constitution provides that the Executive Council is to be composed of the International President and the 16 International Vice Presidents.

This is not true, however, with respect to the Local's conduct at the end of its fiscal years 1956 and 1957. The Local, at those times, announced at a regular meeting that copies of its financial statement would be available to the membership at the next meeting, made such copies available at that meeting to all members who wished them, and posted a copy thereof during the course of the meeting but removed the posted copy at the end of the meeting because the meeting hall is used by 16 other unions and the Local has no headquarters of its own. Under these circumstances, we are satisfied that the Local's compliance for the fiscal years 1956 and 1957 was sufficient to meet the requirements of the Act.

(2) The Company maintains that the Local was also out of compliance with Section 9 (f) and (g) in that it did not distribute its financial statement for the fiscal year 1957 until March 10, 1958, although this was within the 90-day grace period granted by the Board after the Local had filed a certificate of intent to renew its compliance, since the Board's action in granting such an extension "is contrary and in derogation to Section 9 (f) and (g), improper and beyond the authority of the NLRB" or "assuming, arguendo, that such action is within the authority of the NLRB, the NLRB has failed to properly promulgate, establish or authorize this policy, rule, or regulation."

We reject this position as without merit. We have previously held that the procedure for securing an extension of time to renew compliance is applicable in circumstances such as these,[9/] and have also had occasion more recently to reject this same contention by the instant Employer[10/] as well as by another employer.[11/]

(3) The Company further maintains that the positions of Chief Steward, Representative Steward, Sick Steward, and Member of Negotiating Committee, although not listed in the Union's constitution as officers, are nevertheless officers who should be required to file Section 9 (h) non-communist affidavits.

What we have said above with respect to the Employer's allegation concerning additional International officers is equally applicable to the

9/ Monsanto Chemical Company, supra.
10/ Plant City Welding and Tank Company, 118 NLRB 280, 283 (note 9).
11/ Technicolor New York Corporation, 118 NLRB 588, 589 (note 1).

instant contention. The Subordinate Lodge Constitution, in Article II, contains the following provision:

> Section 1. The officers of each Subordinate Lodge shall consist of a President, Vice President, Treasurer, Inspector, Inside Guard, Outside Guard, Recording Secretary, Financial Secretary, Corresponding Secretary, a Board of Trustees . . ., and a Business Manager where one is considered necessary . . .

This section of the constitution further provides that "stewards" are to be appointed, and "sick stewards" and "committeemen" may be elected or appointed as each lodge shall determine but are not to be considered officers. However, no duties are described for any of these positions. Accordingly, the incumbents clearly are not "officers" under the Board's "constitutional" test or under the interpretation thereof adopted by some of the U. S. Courts of Appeals. 12/

IT IS THEREFORE ADMINISTRATIVELY DETERMINED that International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, is in compliance with Section 9 (f), (g), and (h) of the Act, and that Local 609, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, was not in compliance with Section 9 (f) (B) (2) and (g) of the Act during the calendar year 1956 but has been in compliance thereafter, and

IT IS HEREBY ORDERED that any letters of compliance issued to Local 609, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, during the calendar year 1956 be, and they hereby are, declared null and void and without effect.

Dated, Washington, D. C.

Boyd Leedom, Chairman

Philip Ray Rodgers, Member

Stephen S. Bean, Member

Joseph Alton Jenkins, Member
NATIONAL LABOR RELATIONS BOARD

(SEAL)

12/ See footnote 6, supra.

JOHN H. FANNING, MEMBER, concurring in part and dissenting in part:

I concur in the majority's conclusion that Local 609 was not in compliance with Section 9 (f) (B) (2) of the Act during calendar year 1956 and that letters of compliance issued to that organization for that year are null and void.

I must dissent, however, from the majority's conclusion that the International itself was in compliance with the Statute.

Section 9 (f) (B) (2) requires that the processes of the Board shall be available only to those unions which furnish their members with "copies of the financial report" they are otherwise required to file with the Secretary of Labor. Similarly, the Board's Rules and Regulations provide that a complying labor organization must execute a declaration stating that it has furnished "to all its members copies of the financial report filed with the Department of Labor . . ." (Section 102.13). In its "Guide for Labor Organizations to the Filing Requirements of the Labor Management Relations Act, 1947" the Board states on page 6: "Section 9 (f) (B) (2) of the Act requires that you furnish to all the members of your organization copies of the financial report filed with the Department of Labor . . ." And, in further implementation of the Act, the Rules and Regulations, and the Guide, Form NLRB - 1085, "Distribution of Financial Report Certificate", among other things, contains the statement that the Secretary of Labor has accepted the financial report of the union and that "The union has furnished copies of that report to all its members . . ." The instructions on the reverse side of the Form, in pertinent part, require that "Copies furnished members must be copies of the report finally accepted by the Secretary of Labor." It appears abundantly clear that the Act and the Board's Rules and Regulations and outstanding instructions to unions preclude the Board from finding compliance with Section 9 (f) (B) (2) on the basis of the distribution of any financial statement other than the full report filed with and approved by the Secretary of Labor. No requirement of the Statute is more simply or clearly stated.

The facts set forth in the majority's opinion reveal that the International did not furnish its members with "copies" of the financial report submitted to the Department of Labor. Rather, it is admitted that the International merely published a "summary" of that report in its annual Journal, informing its members that they could secure a copy by requesting the Financial Secretary of the Local Union to provide one. This procedure was not, in my opinion, compliance with Section 9 (f) (B) (2). A copy is a copy. It is not an approximation, an abbreviation, or a summary. In concluding that the International made available to its membership the financial data required by Section 9 (f) (B) the majority relies particularly upon the letter which was published with the summary. This letter informed the members that a detailed financial report was in the possession of the financial secretaries and that "Any member desiring to examine these reports is at liberty to do so by requesting the Financial Secretary of your Local Union to provide a copy of same . . ." In effect the majority, while admitting that the complete report was not furnished the members, is, at the same time, stating that this procedure was tantamount to <u>furnishing</u> the membership the complete statement. It seems to me that this is precisely the kind of "furnishing" the Statute attempts to prevent. To furnish is to give--not to give <u>upon request</u>. Union members quite eager to examine a copy of their Union's financial report might be understandably reluctant to demand that the Financial Secretary provide them with one. Accordingly, I conclude that the International failed to comply with the filing requirements of the Act.

In reaching this conclusion, I am, of course, aware of the fact that for some years the practice has been prevalent among some unions to provide their members with a "summary" rather than a "copy" of their financial reports. Despite the specific language of the Statute and the Board's Rules and Regulations, the Board appears to have acquiesced in this practice in <u>Cigar Makers International Union of America, AFL-CIO,</u> cited above. I was not a member of the Board at the time that decision issued. I believe it was wrongly decided. Nevertheless, I recognize that this International and other labor organizations may have been misled into believing that the Board's rules did not require furnishing actual

copies of their financial reports to members. Except as indicated herein, the International has followed the requirements for compliance with Section 9 (f) and (g) of the Act. There is no evidence that it has been guilty of either neglect or an attempt to evade the requirements of the Act. If there is any blame to be assessed, it is not with this labor organization, but elsewhere, possibly with the Board's administration of the pertinent requirements of the Act.

The Board has in certain instances exercised its discretion in the application of the requirements of the pertinent section of the Act by granting certain periods of grace. (See, for example, Marshall and Bruce Company, 75 NLRB 90; Simplicity Pattern Company, 102 NLRB 1283, and Monsanto Chemical Company (John F. Queeny Plant), 115 NLRB 702.) I do not believe the Board should unstablize labor relations with the resultant disturbances and the future unwarranted expenditure of public funds in reprocessing these cases through the Board's procedures, by forthwith revoking certifications in a situation such as that presented here. Nor do I believe that, considering the equities involved and the effectuation of the purposes of the Act as a whole, we would be justified in revoking the Boilermakers' certification without permitting that organization an opportunity to comply with the Act. Accordingly, I would allow the International and other labor organizations similarly situated a reasonable grace period to take steps to comply with the literal requirement of Section 9 (f) (B) (2).

Dated, Washington, D. C.

John H. Fanning, Member

NATIONAL LABOR RELATIONS BOARD

NLRB-651
(5-58)

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

AGREEMENT FOR CONSENT ELECTION

Pursuant to a Petition duly filed under Section 9 of the National Labor Relations Act as amended, and subject to the approval of the Regional Director for the National Labor Relations Board (herein called the Regional Director), the undersigned parties hereby waive a hearing and AGREE AS FOLLOWS:

1. ELECTION.—An election by secret ballot shall be held under the supervision of the said Regional Director, among the employees of the undersigned Employer in the unit defined below, at the indicated time and place, to determine whether or not such employees desire to be represented for the purpose of collective bargaining by (one of) the undersigned labor organization(s). Said election shall be held in accordance with the National Labor Relations Act, the Board's Rules and Regulations, and the customary procedures and policies of the Board, provided that the determination of the Regional Director shall be final and binding upon any question, including questions as to the eligibility of voters, raised by any party hereto relating in any manner to the election, and provided further that rulings or determinations by the Regional Director in respect of any amendment of any certification resulting therefrom shall also be final.

2. ELIGIBLE VOTERS.—The eligible voters shall be those employees included within the Unit described below, who were employed during the payroll period indicated below, including employees who did not work during said payroll period because they were ill or on vacation or temporarily laid off, and employees in the military services of the United States who appear in person at the polls, but *excluding* any employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the election and any employees on strike who are not entitled to reinstatement. At a date fixed by the Regional Director, the Employer will furnish to the Regional Director an accurate list of all the eligible voters, together with a list of the employees, if any, specifically excluded from eligibility.

3. NOTICES OF ELECTION.—The Regional Director shall prepare a Notice of Election and supply copies to the parties describing the manner and conduct of the election to be held and incorporating therein a sample ballot. The Employer, upon the request of and at a time designated by the Regional Director, will post such Notice of Election at conspicuous and usual posting places easily accessible to the eligible voters.

4. OBSERVERS.—Each party hereto will be allowed to station an equal number of authorized observers, selected from among the nonsupervisory employees of the Employer, at the polling places during the election to assist in its conduct, to challenge the eligibility of voters, and to verify the tally.

5. TALLY OF BALLOTS.—As soon after the election as feasible, the votes shall be counted and tabulated by the Regional Director, or his agent or agents. Upon the conclusion of the counting, the Regional Director shall furnish a Tally of Ballots to each of the parties. When appropriate, the Regional Director shall issue to the parties a certification of representatives or certificate of results of election, as may be indicated.

6. OBJECTIONS, CHALLENGES, REPORTS THEREON.—Objections to the conduct of the election or conduct affecting the results of the election, or to a determination of representatives based on the results thereof, may be filed with the Regional Director within five days after issuance of the Tally of Ballots. Copies of such objections must be served upon the other parties at the time of filing with the Regional Director. The Regional Director shall investigate the matters contained in the objections and issue a report thereon. If objections are sustained, the Regional Director may in his report include an order voiding the results of the election and, in that event, shall be empowered to conduct a new election under the terms and provisions of this agreement at a date, time, and place to be determined by him. If the challenges are determinative of the results of the election, the Regional Director shall investigate the challenges and issue a report thereon. The method of investigation of objections and challenges, including the question whether a hearing should be held in connection therewith, shall be determined by the Regional Director, whose decision shall be final and binding.

7. RUN-OFF PROCEDURE.—In the event more than one labor organization is signatory to this agreement, and in the event that no choice on the ballot in the election receives a majority of the valid ballots cast, the Regional Director shall proceed in accordance with the Board's Rules and Regulations.

8. COMMERCE.—The Employer is engaged in commerce within the meaning of Section 2 (6) (7) of the National Labor Relations Act.

16—47620-6

9. WORDING ON THE BALLOT.—Where only one labor organization is signatory to this agreement, the name of the organization shall appear on the ballot and the choice shall be "Yes" or "No." In the event more than one labor organization is signatory to this agreement, the choices on the ballot will appear in the wording indicated below and in the order enumerated below, reading from left to right on the ballot:

First.

Second.

Third.

Fourth.

10. PAYROLL PERIOD FOR ELIGIBILITY.—

11. DATE, HOURS, AND PLACE OF ELECTION.—

12. THE APPROPRIATE COLLECTIVE BARGAINING UNIT.—

If Notice of Representation Hearing has been issued in this case, the approval of this agreement by the Regional Director shall constitute withdrawal of the Notice of Representation Hearing heretofore issued.

(Employer)

By ---
(Name and title)

Date executed ---

Recommended:

Field Examiner,
National Labor Relations Board.

Date approved ---

Regional Director,
National Labor Relations Board.

(Petitioner)

By ---
(Name and title)

(Name of organization)

By ---
(Name and title)

Case No. ---

GPO 865839

NLRB-652
(7-58)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

17

STIPULATION FOR CERTIFICATION UPON CONSENT ELECTION
(R Cases)

The undersigned labor organization(s) (herein called the union(s)) claim(s) to represent employees of the undersigned employer (herein called the employer), and the undersigned parties desire that the question concerning the representation of said employees which exists by virtue of said claim shall be resolved by an election by secret ballot. Therefore, the said parties, subject to the approval of the Regional Director for the National Labor Relations Board (herein called the Regional Director), HEREBY AGREE AND STIPULATE AS FOLLOWS:

1. SECRET BALLOT -- An election by secret ballot shall be conducted under the supervision of the Regional Director, among the employees in the Unit defined below, at the indicated time and place, to determine whether or not the employees desire to be represented by (one of) the Union(s). Said election shall be held in accordance with the National Labor Relations Act, the Board's Rules and Regulations, and the customary procedures and policies of the Board.

2. ELIGIBLE VOTERS -- The eligible voters shall be those employees included within the Unit described below, who were employed during the payroll period indicated below, including employees who did not work during said payroll period because they were ill or on vacation or temporarily laid off, and employees in the military services of the United States who appear in person at the polls, but *excluding* any employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the election and any employees on strike who are not entitled to reinstatement. At a date fixed by the Regional Director, the Employer will furnish to the Regional Director an accurate list of all the eligible voters, together with a list of the employees, if any, specifically excluded from eligibility.

3. NOTICES OF ELECTION -- The Regional Director shall prepare a Notice of Election and supply copies to the parties describing the manner and conduct of the election to be held and incorporating therein a sample ballot. The Employer, upon the request of and at a time designated by the Regional Director, will post such Notice of Election at conspicuous and usual posting places easily accessible to the eligible voters.

4. OBSERVERS -- Each party hereto will be allowed to station an equal number of authorized observers, selected from among the nonsupervisory employees of the Employer, at the polling places during the election to assist in its conduct, to challenge the eligibility of voters, and to verify the tally. As soon after the election as feasible, the votes shall be counted and tabulated by the Regional Director, or his agent or agents. Upon the conclusion of the counting, the Regional Director shall furnish a Tally of Ballots to each of the parties.

5. POST-ELECTION AND RUN-OFF PROCEDURE -- All procedure subsequent to the conclusion of counting ballots shall be in conformity with the Board's Rules and Regulations.

6. RECORD -- The record in this case shall be governed by the appropriate provisions of the Board's Rules and Regulations and shall include this stipulation. Hearing and notice thereof, Direction of Election, and the making of Findings of Fact and Conclusions of Law by the Board prior to the election are hereby expressly waived.

7. COMMERCE -- The Employer is engaged in commerce within the meaning of Section 2 (6) of the National Labor Relations Act, and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

(Insert commerce facts)

8. NAMES ON BALLOT -- In the event more than one labor organization is signatory to this agreement, the choices on the ballot will appear in the wording indicated below and in the order enumerated below, reading from left to right on the ballot:

First
Second
Third
Fourth

9. PAYROLL PERIOD FOR ELIGIBILITY--

10. DATE, HOURS, AND PLACE OF ELECTION--

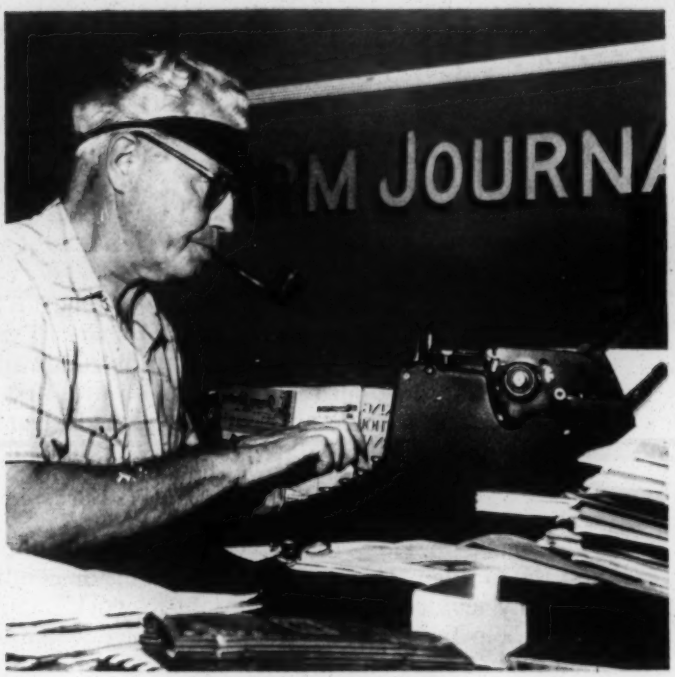
11. THE APPROPRIATE COLLECTIVE BARGAINING UNIT--

If Notice of Representation Hearing has been issued in this case, the approval of this stipulation by the Regional Director shall constitute withdrawal of the Notice of Representation Hearing heretofore issued.

EMPLOYER	NAME OF ORGANIZATION
ADDRESS	ADDRESS
BY *(Name and Title)*	BY *(Name and Title)*
DATE EXECUTED	NAME OF ORGANIZATION
RECOMMENDED	
SIGNATURE	ADDRESS
	BY *(Name and Title)*
Field Examiner, National Labor Relations Board	NAME OF ORGANIZATION
APPROVED	
Signature	ADDRESS
Regional Director, National Labor Relations Board	BY *(Name and Title)*
Date	

Case No. _____

GPO 871010

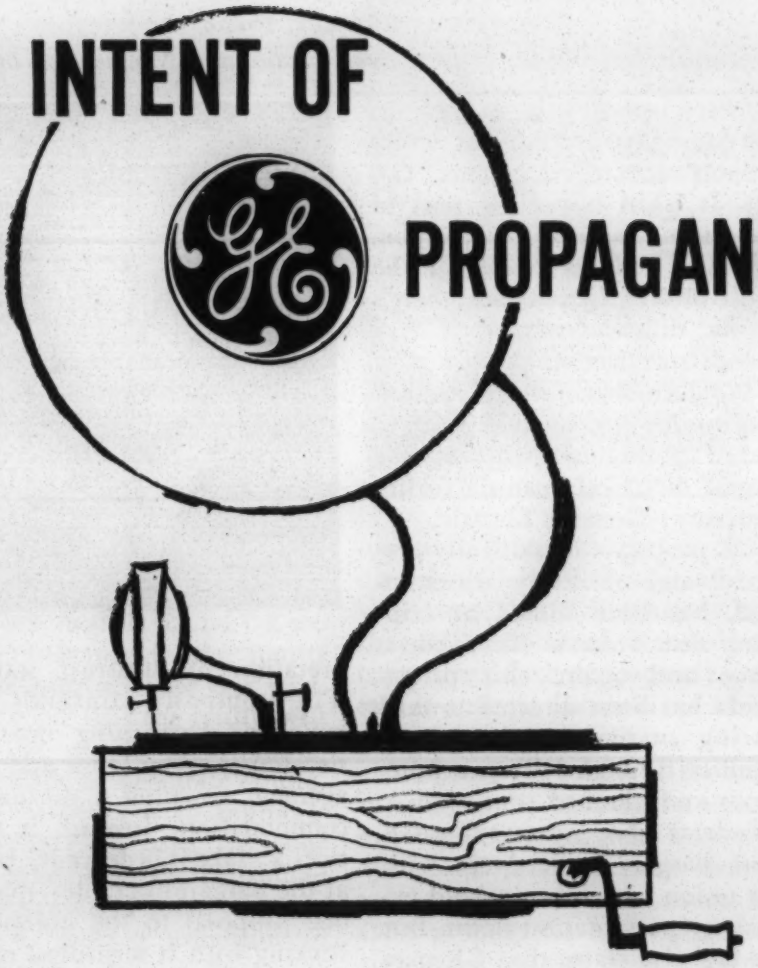


Ed Emerine of the Idaho Farm Journal

A Working Farmer-Editor Tells Why 'Right-to-Work' Law Will Hurt Every Farmer Everywhere!

Via

THE INTENT OF GE PROPAGANDA



BY JAMES B. CAREY, PRESIDENT

INTERNATIONAL UNION OF ELECTRICAL, RADIO AND MACHINE WORKERS, AFL-CIO

(REPRINTED FROM IUD DIGEST, SPRING 1962)

Emory R. Veis

PRICE 25¢

LABOR ACT UPSIDE DOWN

NLRB: Now an Employer Agency?

by Joseph E. Finley

PUBLIC AFFAIRS INSTITUTE
312 Pennsylvania Avenue, S.E., Washington 3, D. C.

File Labor Law

No. 249

IN THE

Supreme Court of the United States

OCTOBER TERM, 1966

WYATT TEE WALKER, MARTIN LUTHER KING, JR., RALPH ABERNATHY, A. D. KING, J. W. HAYES, T. L. FISHER, F. L. SHUTTLESWORTH AND J. T. PORTER, *Petitioners.*

v.

CITY OF BIRMINGHAM, A MUNICIPAL CORPORATION OF THE STATE OF ALABAMA

MOTION FOR LEAVE TO FILE A BRIEF AS AMICUS CURIAE AND BRIEF FOR THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS AS AMICUS CURIAE

J. ALBERT WOLL
General Counsel, AFL-CIO

ROBERT C. MAYER
LAURENCE GOLD
736 Bowen Building
815 Fifteenth Street, N. W.
Washington, D. C. 20005

THOMAS E. HARRIS
Associate General Counsel, AFL-CIO
815 Sixteenth Street, N. W.
Washington, D. C. 20006

January, 1960

University of Wisconsin
School for Workers

Who Is Covered by the Labor Reform Law (2)

If the statement is true, mark T; if false, mark F. Cite provision of the law which you rely on for your answer.

	T or F	Provision
1. If a labor organization is certified as a collective bargaining representative, it is automatically subject to the labor reform law.	_____	_____
2. If the NLRB has jurisdiction but has declined to assert it this means that the labor organization is not subject to the labor reform law.	_____	_____
3. If an officer of the union is not mentioned in the constitution he is not covered by the law.	_____	_____
4. If the secretary-treasurer of the local refuses to accept a member's dues he is not in good standing for this reason.	_____	_____
5. If the president of the central body helps a local union in bargaining the central body is subject to the provisions of the labor reform law.	_____	_____

LABOR ORGANIZATION INFORMATION REPORTING

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT

Public Law 86-257

Effective September 14, 1959

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF LABOR

U.S. DEPARTMENT OF LABOR
BUREAU OF LABOR-MANAGEMENT REPORTS
WASHINGTON 25, D.C.

TO ALL LABOR ORGANIZATIONS COVERED BY THE ACT

This packet contains explanatory instructions and forms to assist you in complying with section 201(a) of the Labor-Management Reporting and Disclosure Act of 1959. These forms have been prescribed for use by the Secretary of Labor pursuant to the authority granted to him by the act.

An original plus one copy of the form, and two copies of all attachments, must be filed with the Bureau of Labor-Management Reports, U.S. Department of Labor, Washington 25, D.C.

U.S. DEPARTMENT OF LABOR
Bureau of Labor-Management Reports

U. S. DEPARTMENT OF LABOR
Office of Labor-Management and Welfare-Pension Reports
Washington, D. C. 20210

Official Business

POSTAGE AND FEES PAID
U. S.
Department of Labor

A MESSAGE — *To officers of small unions covered by the Labor-Management Reporting and Disclosure Act of 1959.*

Experience has proved that nearly all the 80,000 officers of small unions that are responsible for filing union financial reports want to comply with the law to the best of their ability.

To simplify the task of small unions the Secretary of Labor has prescribed the short Form LM–3, Labor Organization Annual Report. This form may be used by small unions with annual receipts of less than $30,000.

You can make your job and our job easier by reading the instructions carefully, completing the form accurately and filing your report as soon as possible after your fiscal year ends rather than putting it off for the 90 days permitted by law.

We will be glad to give you help if you visit or write the nearest LMWP office at the address shown on the back of Copy 6 of the report form.

OFFICE OF LABOR-MANAGEMENT AND
WELFARE-PENSION REPORTS

INSTRUCTIONS FOR LABOR ORGANIZATION ANNUAL REPORT, LM-3

I. GENERAL — Each labor organization subject to the Labor-Management Reporting and Disclosure Act of 1959 must file annually with the Secretary of Labor:
(a) A financial report, and
(b) Any change in the information contained on the *Labor Organization Information Report, Form LM-1.*

II. HOW TO USE THE SIMPLIFIED REPORTING FORM — The simplified form has been put together so that the union officer who does not have specialized training and experience can fill it out easily by following the instructions step by step.

a. Read carefully the statement in Section III below to make sure that you are authorized to use this form. If you are not authorized you must report on the *Labor Organization Annual Report Form LM–2.* If your union is eligible to file this form, continue with these instructions.
b. Keep these instruction sheets handy for reference, item by item, as you fill out the report.
c. Fill out the form with typewriter or a ballpoint pen. If you use a pen, write firmly enough so that all the copies will be clear.
d. When your report form is properly filled out follow the instructions on the back of copy No. 2.

III. WHO MAY FILE THE ANNUAL REPORT FORM LM-3 — A labor organization is authorized to file the simplified combined report on Form LM-3 (Revised) only if it meets the following conditions:

a. The total of all receipts of the labor organization, including its components, regardless of source and without any exclusions or deductions of any kind, was less than $30,000 in the 12-month period covered by the report.
b. The organization was not in trusteeship at the end of the fiscal year.

The Secretary, however, may revoke the authority for any labor organization to file the simplified annual report Form LM-3 (Revised), if he determines that the purposes of the Act would be served by such a revocation.

IV. WHEN TO FILE — This annual report must be submitted to the Office of Labor-Management and Welfare-Pension Reports, Washington, D. C. 20210, within ninety (90) days after the end of the fiscal year of the labor organization. If, however, the labor organization went out of existence during its fiscal year, a terminal report must be filed within thirty (30) days after the date of termination, giving the information listed under the heading "VII — Terminal Report" below.

V. RESPONSIBILITY OF UNION OFFICERS AND PENALTY — Sec. 209(d) of the Act makes each individual required to sign this report personally responsible for filing it and for any statement contained therein which he knows to be false. Sec. 206 of the Act requires that records providing in sufficient detail the necessary basic information and data from which the reports and other documents filed may be verified, explained or clarified, and checked for accuracy and completeness, must be maintained and kept available for examination for at least five years after filing the report. These records include vouchers, worksheets, receipts, and applicable resolutions. The law provides criminal penalties for willful failure to file a required report, for making any false statement or representation of a material fact knowing it to be false, for knowingly failing to disclose a material fact in this report and for willfully making any false entry or concealing, withholding, or destroying any books, records, reports or statements required to be kept.

INST. LM–3 (Revised 11/63) Printed 12/63

U.S. DEPARTMENT OF LABOR
BUREAU OF LABOR-MANAGEMENT REPORTS
606 CALHOUN BUILDING
711 WEST LAKE STREET
MINNEAPOLIS 8, MINNESOTA

April 18, 1962

Mr. Emery F. Via,
School of Workers,
University Extension Division,
University of Wisconsin
Madison 6, Wisconsin

Dear Mr. Via:

While you were in the office recently, I recall that we tried to locate an independent papermill workers' union from Niagra, Wisconsin, in our Register of Reporting Organizations, and were unable to find it. I came across it recently while checking another matter in the Register, and find that it is listed on Page 226 of the Register under "Confederated Unions, Ind."

The listing shows their BLMR number to be 052309.

Apparently the three unions listed under "Confederated Unions, Ind." on Page 226 of the Register have some type of affiliation. This information is transmitted for whatever purposes you may have in your study. The main reason, however, is to let you know we did not miss them in our listing in the Register.

Very truly yours,

John P. Martin

JOHN P. MARTIN,
Area Director

RIGHTS OF PENSION PLAN PARTICIPANTS

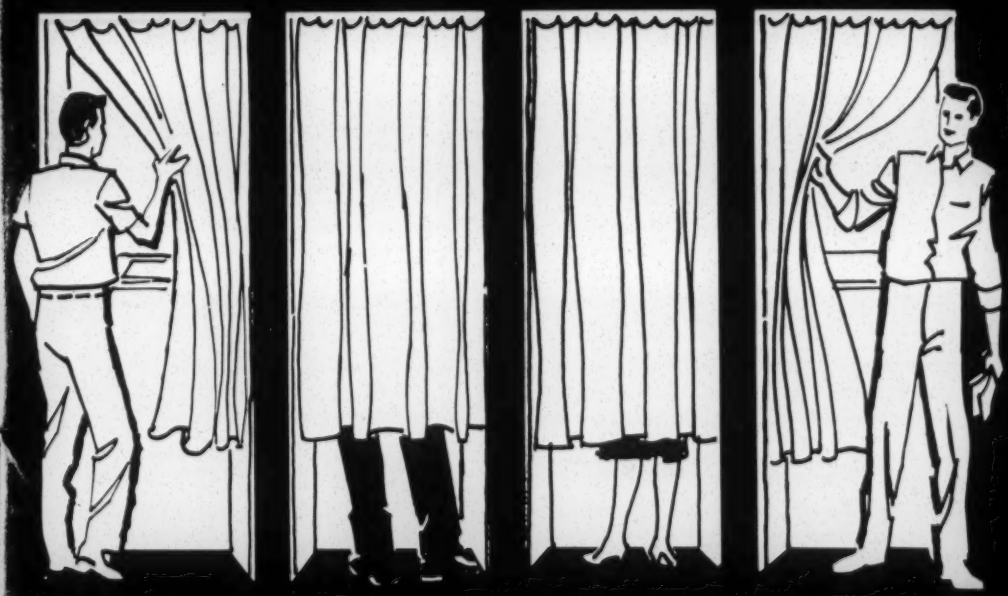
WELFARE AND PENSION PLANS DISCLOSURE ACT

U. S. DEPARTMENT OF LABOR - W. Willard Wirtz, Secretary
Labor-Management Services Administration

Revised June 1963

U. S. DEPARTMENT OF LABOR
Bureau of Labor-Management Reports
Technical Assistance Aid No. 5

ELECTING UNION OFFICERS



Form 731 — Revised Oct. 1941 — 10M-10-60
TREASURY DEPARTMENT
Internal Revenue Service

EXEMPTION CERTIFICATE

Tax on Transportation of Persons—Seats, Berths or Staterooms

Transportation agents should not accept this certificate unless the officer or employee presenting it shows satisfactory credentials.

PLACE OF ISSUE OF TICKET ..... DATE ..... 19....

NAME OF ISSUING CARRIER .....

TICKET FORM NO. ..... TICKET NO. .....
(To be filled in by Agent or Carrier Issuing Ticket)

FOR ..... VIA .....
(Transportation, — Seat, Berth or Stateroom)

FROM ..... TO .....

I certify that the charges for the service indicated above have been, or will be, paid for by the United States, or by a State or Territory, or political subdivision thereof, or the District of Columbia, as indicated below, are incurred in the performance of my official duties, and are exempt from the tax imposed under section 3469 of the Internal Revenue Code.

UNIVERSITY OF WISCONSIN
(Government Agency or Service Account of which exemption is authorized)

.....
(Signature)

PENALTY FOR FRAUDULENT USE $10,000 AND IMPRISONMENT.

.....
(Title)

NOTE—A separate exemption certificate will be required for each ticket furnished or fare collected.

RECEIPT

UNIVERSITY OF WISCONSIN

(To be attached to expense account)

Received from ..... payment for transportation, exempt from tax imposed under section 3469 of the Internal Revenue Code, as follows:

Price without Tax

Ticket from ..... to ....., $.....

Berth from ..... to ....., $.....

Name of issuing carrier .....

By .....
Agent

Labor Law
L-G.

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

RIGHTS OF UNION MEMBERS

UNITED STATES
DEPARTMENT
OF LABOR
W. Willard Wirtz,
Secretary
BUREAU OF LABOR-
MANAGEMENT REPORTS
John L. Holcombe,
Commissioner

REPORTS REQUIRED FROM LABOR ORGANIZATIONS

UNITED STATES
DEPARTMENT
OF LABOR
W. Willard Wirtz,
Secretary
BUREAU OF LABOR-
MANAGEMENT REPORTS
John L. Holcombe,
Commissioner

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

UNION SAFEGUARDS

UNITED STATES
DEPARTMENT
OF LABOR
W. Willard Wirtz,
Secretary
BUREAU OF LABOR-
MANAGEMENT REPORTS
John L. Holcombe,
Commissioner

REPORTS REQUIRED FROM UNION OFFICIALS AND EMPLOYEES

UNITED STATES
DEPARTMENT
OF LABOR
W. Willard Wirtz,
Secretary

BUREAU OF LABOR-
MANAGEMENT REPORTS
John L. Holcombe,
Commissioner

and Insurers

ON THE WELFARE AND PENSION PLANS DISCLOSURE ACT

U. S. DEPARTMENT OF LABOR, W. WILLARD WIRTZ, SECRETARY
LABOR-MANAGEMENT SERVICES ADMINISTRATION

TECHNICAL ASSISTANCE AID NO. 2

How To Complete
Labor Organization Financial Report LM–2

GUIDE FOR Reporting YOUR UNION FINANCES

Instructions for Unions Required To Use LM–2 in Complying With Section 201(b) of the Labor-Management Reporting and Disclosure Act

UNITED STATES DEPARTMENT OF LABOR
JAMES P. MITCHELL, *Secretary*
BUREAU OF LABOR-MANAGEMENT REPORTS
JOHN L. HOLCOMBE, *Commissioner*

THE WELFARE AND PENSION PLANS DISCLOSURE ACT, AS AMENDED[1]

(29 U.S.C. 301–309)

(Revised text[1] showing in bold face type new or amended language provided by the Welfare and Pension Plans Disclosure Act Amendments of 1962, as enacted March 20, 1962 (P.L. 87–420, 76 Stat. 35))

AN ACT

To provide for registration, reporting, and disclosure of employee welfare and pension benefit plans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Welfare and Pension Plans Disclosure Act".

TABLE OF CONTENTS

Welfare and Pension Plans Disclosure Act

Sec. 2. Findings and policy.
Sec. 3. Definitions.
Sec. 4. Coverage.
Sec. 5. Duty of disclosure and reporting.
Sec. 6. Description of the plan.
Sec. 7. Annual reports.
Sec. 8. Publication.
Sec. 9. Enforcement.
Sec. 10. Reports made public information.
Sec. 11. Retention of records.
Sec. 12. Reliance on administrative interpretations and forms.
Sec. 13. Bonding.
Sec. 14. Advisory Council.
Sec. 15. Administration.
Sec. 16. Effect of other laws.
Sec. 17. Separability of provisions.
Sec. 18. Effective date.

Findings and Policy

SEC. 2. (a) The Congress finds that the growth in size, scope, and numbers of employee welfare and pension benefit plans in recent years has been rapid and substantial; that the continued well-being and security of millions of employees and their dependents are directly affected by these plans; that they are affected with a national public interest; that they have become an important factor affecting the stability of employment and the successful development of industrial relations; that they have become an important factor in commerce because of the interstate character of their activities, and of the activities of their participants, and the employers, employee organizations, and other entities by which they are established or maintained; that owing to the lack of employee information concerning their operation, it is desirable in the interests of employees and their beneficiaries, and to provide for the general welfare and the free flow of commerce, that disclosure be made with respect to the operation and administration of such plans.

(b) It is hereby declared to be the policy of this Act to protect interstate commerce and the interests of participants in employee welfare and pension benefit plans and their beneficiaries, by requiring the disclosure and reporting to participants and beneficiaries of financial and other information with respect thereto.

Definitions

SEC. 3.[2] When used in this Act—

(1) The term "employee welfare benefit plan" means any plan, fund, or program which is communicated[3] or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, or hos-

[1] 72 Stat. 997, as amended by the Welfare and Pension Plans Disclosure Act Amendments of 1962 (P.L. 87–420, 76 Stat. 35). This revised text has been prepared by the U.S. Department of Labor.

[2] Section 2 of the 1962 amendments redesignated former section "3(a)" as section "3".

[3] Section 2 of the 1962 amendments amended paragraph (1) of section 3 by striking out the word "to" after the word "communicated".

REGULATIONS

Welfare and Pension Plans Disclosure Act

Code of Federal Regulations

Title 29— Labor

Chapter IV

Office of Labor-Management and Welfare-Pension Reports, Department of Labor

SUBCHAPTER B—WELFARE-PENSION REPORTS

460 Filing of description of employee welfare or pension benefit plans—annual reports.
461 Certification of information by insurance carriers or service or other organizations.
462 Variation from publication requirements.
463 Welfare and pension plans with less than 100 participants.
464 Basic bonding requirements.
465 Exemption from bonding requirements.
485 Prohibition against bonding by parties interested in the plan.
486 General statement concerning the retention of records provisions of the Welfare and Pension Plans Disclosure Act.

U.S.DEPARTMENT OF LABOR

Labor Management Services Administration

Office of Labor-Management & Welfare-Pension Reports

A MESSAGE To officers of unions covered by the Labor-Management Reporting and Disclosure Act of 1959.

It is the continuing desire of the Bureau of Labor-Management Reports to improve the Labor Organization Annual Report forms and to clarify their accompanying instructions.

In line with this aim, we have adopted this new Labor Organization Annual Report Form LM-2 (Revised). It replaces the former LM-2 and LM-1A and must be used (1) by labor organizations whose total annual receipts were $30,000 or more, and (2) by labor organizations which file an annual report for any labor organization under trusteeship. "Total annual receipts" include receipts of any special funds and of any "subsidaries" of the labor organization as defined in the instructions accompanying the Form LM-2 (Revised).

You can make your task, and ours, easier by reading the instructions carefully; by completing the form accurately; and by filing your report as soon as possible after your fiscal year ends, rather than waiting for the 90 day period permitted by law.

We will be glad to give you help if you visit or write the nearest area office of the Bureau of Labor-Management Reports at the address shown on inside back cover.

Sincerely yours,

John F Holcombe

John L. Holcombe
Commissioner

LABOR ORGANIZATION ANNUAL REPORT

LM-2 (REVISED APRIL 1962)

FORMS & INSTRUCTIONS

LABOR-MANAGEMENT
REPORTING AND
DISCLOSURE ACT

PUBLIC LAW 86-257

U S DEPARTMENT OF LABOR
Arthur J. Goldberg, Secretary
BUREAU OF LABOR MANAGEMENT REPORTS

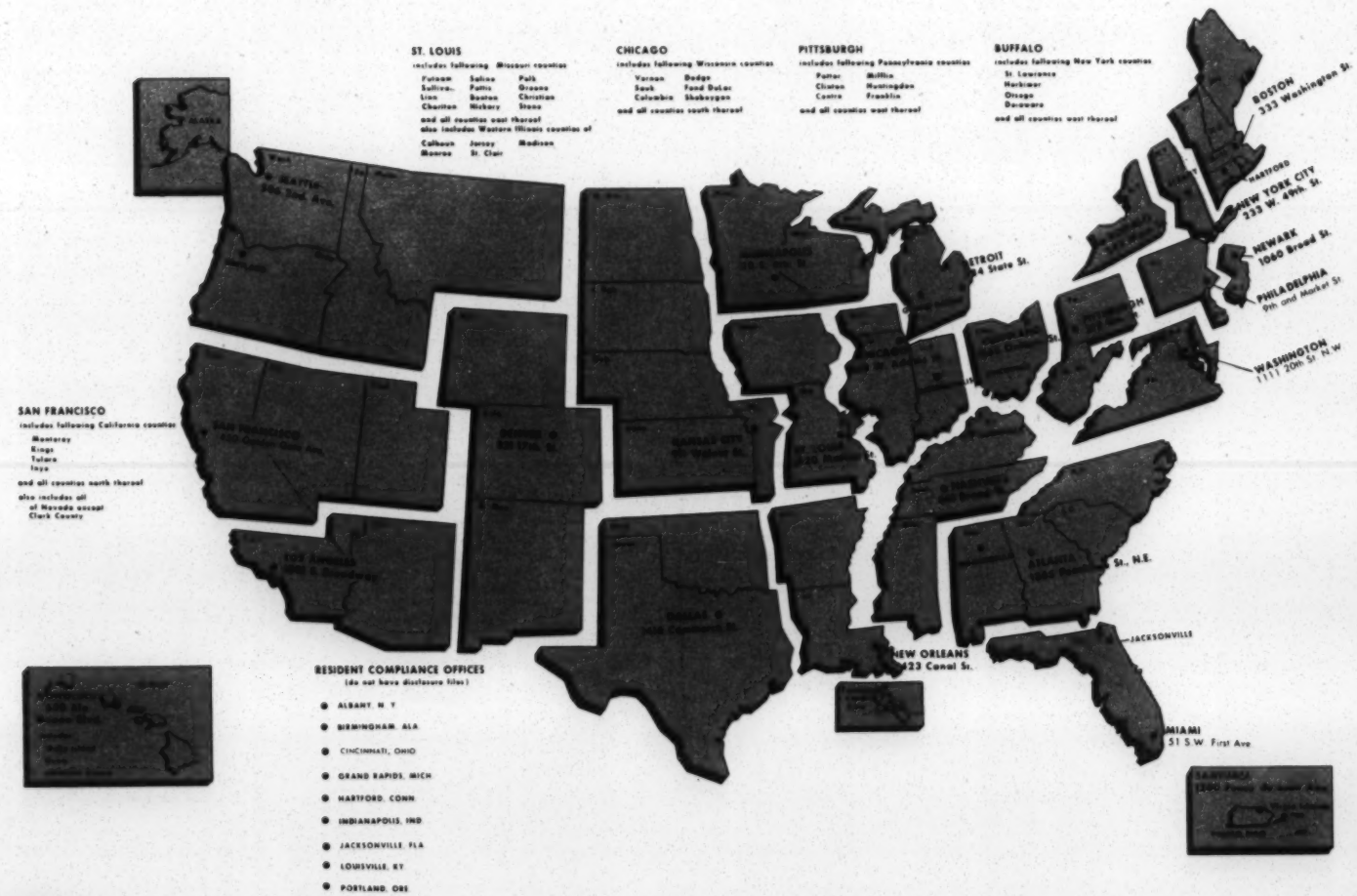
FINANCIAL REPORTS

(KEEP COPY OF REPORTS FILED WITH LMWP)

LMWP FILE NO. _____

this folder is for your convenience in maintaining records necessary to comply with the labor management reporting and disclosure act of 1959

IF YOU NEED ADVICE CONTACT THE OFFICE OF LABOR-MANAGEMENT AND WELFARE-PENSION REPORTS REPRESENTATIVE IN YOUR AREA



U.S. DEPARTMENT OF LABOR · Labor-Management Services Administration

BEST COPY AVAILABLE

AFL-CIO VIEWS ON LABOR REFORM LEGISLATION

The views of the AFL-CIO on labor reform legislation were spelled out in detail by President George Meany during his appearance before the House Education and Labor Committee on June 3, 1959.

In order to facilitate understanding of the AFL-CIO position, a synopsis of President Meany's testimony appears below.

WHAT THE AFL-CIO SUPPORTS

The AFL-CIO has been on record in support of legislation to correct abuses in the labor and management fields for some time. In 1958, the AFL-CIO Executive Council urged the House of Representatives to pass the then-pending Kennedy-Ives bill. This year, the AFL-CIO supported, with a few amendments, the Kennedy-Ervin bill, S. 1555, as it was reported by the Senate Labor Committee.

The AFL-CIO, however, opposes that bill as it was passed by the Senate.

In summary, the AFL-CIO supports legislation involving the following provisions:

1. Public reporting and disclosure by unions of all aspects of union finances (Sec. 201).

2. Public reporting and disclosure by union officers and employees of their personal financial transactions with employers or labor relations consultants which may indicate a "conflict of interest" with their position as union officers or employees (Sec. 202).

3. Public reporting and disclosure by employers of all funds expended by them for labor relations purposes (Sec. 203).

4. Public reporting and disclosure by labor relations consultants of any activities intended to influence employees (Sec. 203(c)).

5. Criminal penalties for willful failure to file a report, for false filing, for making a false entry in books or records, and for embezzling or otherwise stealing union funds (Sec. 208, 209(a)).

6. Public reporting and disclosure of information relating to the imposition of trusteeships over subordinate unions, together with criminal penalties for failure to file and false filing (Sec. 301).

7. Provision for the Secretary of Labor to act on complaints regarding the purpose and continuance of trusteeships (Sec. 304).

8. Requirements for international union elections by secret ballot among the members or by delegates elected by secret ballot, not less often than once every five years; for local union elections by secret ballot not less often than once every three years; and for selection of intermediate

labor organizations, such as joint councils and other intermediate body elections by secret ballot among the members or by representatives chosen by secret ballot, not less often than once every four years (Sec. 401).

9. Provision for opportunity to nominate candidates and for adequate notice of elections, and a prohibition against the use of union or employer funds to promote the candidacy of any individual in a union election (Sec. 401).

10. Provision for the Secretary of Labor to act to void elections not conducted according to the Act and to order a new election (Sec. 402).

11. Encouragement of unions and employers to adopt and adhere to codes of ethical practices (Sec. 501).

12. Taft-Hartley amendments to apply Federal law to the "no man's land" jurisdiction which the NLRB has not exercised, to permit pre-hire agreements in the building and construction industry, and to exclude service assistants in the communications industry from the definition of "supervisor" under the Act (Sections 701,702, 704).

13. A Taft-Hartley amendment to permit pre-hearing representation elections, without the 45-day delay written in on the Senate floor (Sec. 705).

14. Elimination of the ban denying economic strikers the right to vote in representation elections (Sec. 703).

Many, but not all, of these provisions appeared in S. 1555 as it was reported by the Senate Labor and Public Welfare Committee. However, on the Senate floor some 35 amendments were added to that bill which seriously change its character from a reform bill to an anti-labor bill.

In the following paragraphs, the AFL-CIO objections, first to S. 1555, as it passed the Senate, and then to bills introduced by Representatives Barden and Kearns, are outlined.

Title I of S. 1555, as passed by the Senate, is attractively titled "Bill of Rights of Members of Labor Organizations." As such, Title I has an obvious slogan appeal.

Nonetheless this bill of rights is too vague for practical application and is outrageously punitive.

The AFL-CIO strongly supports the principle that union members should have equal rights with other union members in the conduct of union business; that they should be free to voice their views within the organization; that they should have an opportunity to participate in fixing dues and assessments; that they should have resort to the courts if they cannot achieve satisfaction for wrongs through the union's normal procedures; and that they be disciplined only through a kind of union "due process." These rights are now guaranteed by most union constitutions and by-laws.

The Senate has proved, however, that it is extremely difficult to incorporate these rights into statutory language, enforceable by stringent criminal penalties.

Membership. Originally the McClellan "bill of rights" amendment contained a provision on membership in unions, together with a definition of "member" which was inserted in Title VI. Although the membership provision was eliminated in the revised "bill of rights", the definition remained (Sec. 601(n)). It defines "member" as " any person who has... tendered the lawful requirements for membership in such organization..." What are the "lawful" requirements for membership? The bill does not say. It is not clear whether or not unions would have to admit applicants who are Communists, company spies working for employers or employer middlemen, instigators of "Wildcat" strikes, or convicted racketeers. Clearly the union should be permitted to protect itself by denying membership to such persons.

(Denial of membership by the union does not deprive a rejected applicant of his job. Under a union shop contract, a union can secure discharge of a worker only because of non-payment of dues.)

Equal rights and privileges. S. 1555 declares that each member shall have equal rights and privileges respecting participation in the union's affairs, subject to reasonable rules and regulations. What constitutes a "reasonable" rule? Is it "reasonable" to provide that employees in one shop of an amalgamated local shall not vote on matters of concern only to members of another shop in the same local? This can be known only after litigation in the courts (Sec. 101(a)(1)).

Freedom of Speech and Assembly. Again, this is a desirable principle, but it is plain that the union must have some right to impose limitations on attacks against it, to promote wildcat strikes, such as attempts to destroy the union or to take it, for example, out of the AFL-CIO and into the Teamsters. S. 1555 includes a proviso permitting unions to adopt "reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligation." However, this proviso is vague as to precisely what constitutes a "reasonable" rule. What does "reasonable" mean? (Sec. 101(a)(2)).

Freedom from Arbitrary Financial Exactions. Here the bill is the oppositive of vague: it is too specific. It provides that dues and fees shall not be "changed" or assessments levied except (1) by vote of the members by secret ballot at a meeting, or (2) by vote of the members by secret ballot in a referendum conducted through the mails, or (3) in the case of an international union, by vote at a convention. Why cannot an international union conduct a mail referendum to raise or lower dues? Further, there is no good reason why a union cannot delegate to its executive board the power to raise or lower dues, or levy assessments, or at least to do so in limited amounts until the next convention. The effect of the present language may actually be to increase dues, so that a union may be confident of having a sizable treasury to avoid the necessity of assessments to meet critical emergencies (Sec. 101(a)(3)).

Protection of the Right to Sue. This subsection is again subject to the criticism of over-rigidity. It is arguable that, as written, the section would prevent a union from providing, in a collective bargaining agreement or by internal rule, that an employee must present his grievance (against the employer) under the grievance and arbitration procedure specified in the agreement, rather than in a law suit. The proviso in this section, permitting a union to require members to exhaust internal procedures before filing suit in the courts, is grossly inadequate because it puts a six-month time limit on exhaustion of such procedures. In a large industry, the grievance and arbitration machinery very often takes substantially in excess of six months (Sec. 101(a)(4)).

Safeguards Against Improper Disciplinary Action. This subsection requires that disciplinary action be taken against a member only after he has been (1) served with specific written charges, (2) given a reasonable time to prepare his defense, (3) afforded a full and fair hearing. How specific must charges be? While such a requirement may be entirely reasonable with respect to some infractions, it is clearly inappropriate in case it becomes necessary to expel a drunk from a union meeting. Further, what is "full and fair hearing"? Is the entire membership of a local union (which frequently acts as a trial body) sufficiently impartial to meet this test? Can an international union suspend a local officer charged with embezzlement as an emergency measure to protect the local union treasury? (Sec. 101(a)(5)).

In sum, each of the provisions of the so-called "bill of rights" in S. 1555 is either so vague and general that its only certain consequence is litigation, or where more precise language is employed, defective in that normal and proper union practices would be barred.

Criminal Penalties. Apart from these objections to the "bill of rights," the most serious objection results from the general criminal penalties incorporated in Sec. 607 of S. 1555. This section imposes a fine of not more than $10,000 or imprisonment for not more than two years, or both, for "the use of force or violence, or threat of the use of force or violence, or by economic reprisal or threat thereof, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercising by such member of any right to which he is entitled under the provisions of this Act." (Sec. 607(6))

It must be remembered that these criminal penalties hang over not only the international union officer, who may have a battery of attorneys to advise him. They also hang over the local union officer who may work full time at his trade, and who has no one, much less a battery of attorneys, to advise him.

Should this man be fined or imprisoned because he violates in some way the "bill of rights" in S. 1555? Instead, criminal penalties should be limited to sections which explicitly define the criminal act, rather than to sections which are so vague that the offending individual can not possibly know when he is about to commit a crime.

This title of S. 1555 deals with reporting requirements for unions, union officers and employees, employers, and labor relations consultants. This title embodies the following major deficiencies:

Exemption for Small Local Unions. S. 1555 permits the Secretary of Labor to exempt from the reporting requirements local unions with less than 200 members and having annual receipts of less than $20,000. We urge that this provision be changed to grant an automatic exemption to such unions, subject to cancellation by the Secretary for cause.

We believe there is a need for exempting these small unions because of the very real problem of little local unions operating legitimately with unpaid, volunteer officers. An exemption of small local unions under a law which permitted the Secretary of Labor to cancel the exemption on the belief that abuses exist would provide fully adequate protection against the corrupt "paper" locals created by racketeers for the purposes of exploitation and extortion. On the other hand, if the Secretary is merely given authority to exempt small unions, a weak Secretary might refuse to grant any exemption out of unwillingness to assume responsibility.(Sec. 201(d)).

Employer Reporting. While the reporting requirements for unions are extensive, reporting requirements for employers are relatively weak. While unions must report all receipts, including the sources thereof, and all disbursements, including the purposes thereof, employers are exempted from reporting the following kinds of reporting:

(1) Changes in wages, working conditions, or employee benefits. This exclusion permits an employer to hide favored treatment of certain employees as a pay-off for anti-union activity. The exclusion would be acceptable if it related to public disclosed changes, etc. (Sec. 203 (a) (1) (i)).

(2) Expenditures incurred in connection with the publication by such employer in his own name of a newspaper, newsletter, or similar house organ or other letter, communication, or advertisement. We see no reason why an employer's expenditures for anti-union propaganda should be exempt from reporting just because they are carried on in the employer's own name. The management of the General Electric Company, for example, innundates

that company's employees with a steady stream of anti-union propaganda. Under this exemption the costs of this anti-union campaign would not have to be reported by the Company: but unions comprised of GE employees would have to report any expenditures made to counter this campaign. This is not equal justice. (Sec. 203 (a)(1)(ii)).

(3) Expenditures to obtain information for use solely in conjunction with a judicial, administrative, or arbitral proceeding. This exclusion could cover expenditures to a "consultant" to infiltrate a union and to advise the employer as to the identity of its leaders, how many members it has, etc. Conceivably, the employer wants this information "for use solely in conjunction with" an administrative proceeding, for example, a Labor Board election. It still constitutes labor espionage. The bill also applies this exclusion to reporting by labor relations consultants. (Sec. 203 (a) (1) (iii), Sec. 203 (c)(B)).

(4) Expenditures made to any regular officer, supervisor or employee of an employer as compensation for service as a regular officer, supervisor, or employee of such employer. The fact that an employees regular duties may be labor espionage on behalf of his employer is no reason for excluding payments to him from reporting. Indeed, this subsection makes the employer reporting requirements a complete nullity, since to evade them an employer would only have to carry on his activities through his own regular employees. (Sec. 203 (f)).

Costs of Defense. S. 1555 presently prohibits a union or employer from paying the fine or advancing the costs of defense of any officer or employee indicted for any violation of any provision of this Act. A prosecution under this Act will not necessarily involve heinous conduct, such as embezzlement, but may turn on a doubtful construction of disputed language. A union or corporation executive board may direct a union or corporation official to engage in certain conduct to test the constitutionality or interpretation of one of the Act's provisions. Certainly in such a situation the union or corporation should be permitted to pay the defense costs.

In general, public reporting of any union or corporation disbursement of the described sort would seem sufficient protection against abuse. We would not object to a ban on paying defense costs of officers charged with certain particular crimes, such as embezzlement. (Sec. 207 (b)).

Fiduciary Responsibilities. S. 1555 seems to establish a broad fiduciary concept, to be implemented by private suits to challenge disbursements of union funds for purposes of which the plaintiffs disapprove. Also, an officer open to civil suit is presumably equally open to criminal prosecution, entailing a $10,000 fine, or five years imprisonment, or both.

Those who advocate this concept, no matter how laudable their motives may be, simply do not understand the nature of a labor union. There is no proper analogy between a labor union and a corporation or bank. The principles underlying minority stockholders' suits can be broadly applied to the relationships between union members and their organizations only at the risk of doing enormous damage to the labor movement.

A union does not exist for the purpose of making money. It exists as a mechanism through which its members combine to promote their mutual improvement, both as employees and as members of society generally, and both materially and in other ways.

What then is the intention of those who would equate union officials to bank officials as "fiduciaries?" If a union decides to give money to the democratic unions of France or Italy or Germany to aid them in combatting their Communist rivals -- and this is not an imaginary case -- are its officials to be open to suit by any member who disagrees with the disbursement? If a union contributes to the Red Cross, are its officials to be subjected to suit by dissident members? (Sec. 209; Sec. 610).

We do not, on the other hand, object to sanctions against the misuse of union funds for personal gain.

This title refers to the imposition and administration of trusteeships.

Transfer of Funds on Revocation of Charter. The Senate-passed measure currently permits transfer of local union funds to international unions only upon dissolution of the local. This should be broadened to include transfer of funds upon suspension or revocation of the local union charter. For example, an international union may want to suspend or revoke the charter of a local union whose size has dwindled from 2000 to 5 to prevent the remaining five from dissipating the local treasury in parties, etc. The bill already protects union funds by providing criminal penalties for embezzlement.(Sec. 303(a)).

Bonding Requirements . The section requiring bonding of union officers and employees who handle funds applies to joint union-employer trust funds. We see no equal justice in requiring bonding of the union trustees but not of the employer trustees. (Sec. 308).

TITLE IV

Title IV deals with union elections, setting forth requirements on frequency, qualifications, notice, etc. Certain changes in language should be made, and federal remedies should be made exclusive.

Title V encourages unions and employer groups to adopt and enforce codes of ethical practices to eliminate improper practices.

TITLE VI

This title contains definitions and miscellaneous provisions.

General Criminal Penalties. This title contains a general criminal penalty imposing a fine of not more than $10,000 or imprisonment for not more than two years, or both for disciplining any member "for exercising any right to which he is entitled under the provisions of this Act," or for "the use of force or violence, or threat of the use of force or violence, or by economic reprisal or threat thereof, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member...for the purpose of interfering with or preventing the exercise by such member of any right to which he is entitled under the provisions of this Act."

Such broad criminal penalties are highly objectionable because the language is excessively general, and the penalty for violation is excessively harsh. Criminal statutes should not be so broad as to make even experienced attorneys doubtful as to what action constitutes a crime (Sec. 607).

Let us suppose, for example, that a local union president rules a speaker, advocating a wild-cat strike, out of order at a local union meeting, that the speaker nevertheless persists in holding the floor, and that the president threatens that unless he sits down he will have him ejected from the meeting. The president's threat, under this provision and the "bill of rights", may be criminal. The bill is loaded with such traps, and no officer could possibly know when he is about to commit a crime.

Criminal penalties should apply to specific acts, and the bill laready contains a number of such penalties. These are found, for example, in sections 208(a) (failure to comply with reporting requirements), 208(b) (false statements in reports), 208(c) (false entry in books and records), 209(a) (embezzlement), 301(b) (trusteeship reporting requirements), and 405(c) (employment of persons convicted of certain crimes).

Any additional criminal penalties, instead of applying broadly to the whole bill, should apply to specific language in specific sections.

TITLE VII

This title contains certain amendments to the Taft-Hartley Act.

No-Man's Land. The failure of the NLRB to assert its full jurisdiction has created a no-man's land in which the Board does not act and the states may not act. The provision in S. 1555 permits state agencies to assert jurisdiction in areas in which the Board declines its jurisdiction. The state agencies would have to apply federal law set forth in the Taft-Hartley Act as interpreted by the Board and the federal courts. Orders of the state agencies would be enforceable in federal district courts.

A better approach, to avoid confusion, would be to enforce the orders of state agencies through the Board. An even better solution would be to require the Board to assert jurisdiction over all cases arising under the Taft-Hartley Act (Sec. 701).

Economic Strikers. The economic striker provision of S. 1555 actually waters down the right of economic strikers to vote in representation elections by permitting the Board to limit their voting in ways which are not spelled out and cannot be assessed. It further casts doubt upon the right of workers striking in protest against an employer's unfair labor practice to vote.

It should be made clear that economic strikers shall have the right to vote in representation elections (Sec. 703).

"Hot-Cargo" Contracts. The bill makes illegal any contract between a union and a common carrier whereby the carrier is to cease and refrain from handling, using or transporting the products of any other employer. Such a provision is objectionable in principle because it forces union members to become strike-breakers by crossing picket lines. It thwarts the traditionally legitimate right of working people, on an individual basis, to provide one another with mutual aid and assistance (Sec. 707).

Organizational and Recognitional Picketing. S. 1555 seeks to hobble the right of workers to picket a shop either to organize it or to persuade the employer to recognize the union. Even the mere "threat" to picket in violation of this section would be made an unfair labor practice.

Under this provision an employer can in effect prevent picketing simply by recognizing and contracting with another union. Clearly, this would foster racketeering and corruption by encouraging and protecting collusive deals between corrupt employers and racketeers preying upon the labor movement. All an employer has to do to prevent picketing is to call in a racketeer and quickly sign a collusive contract.

Also, under this provision an election within the preceding nine months automatically bars any picketing by an uncertified minority union, regardless of whether the union was forced to a too-quick election, or regardless even of whether the union participated in the election. It is manifestly unfair under such circumstances to prevent a union from attempting through picketing to organize the employees (Sec. 708).

We vigorously oppose any effort to extend the restrictions on peaceful picketing or other legitimate means of organizing. (Picketing is already unlawful when it seeks to force an employer to bargain with one union after another union has been certified under the Taft-Hartley Act.)

The Kearns Bill, H.R. 7265

The Kearns bill has very little to do with labor-management corruption. Primarily, it contains drastic new restrictions on perfectly legitimate union activities and far-reaching intervention by the Government into the internal affairs of unions.

Discrimination against Employees. The Kearns bill would apparently forbid unions even to report habitual drunks, Communists and shoddy workmen to the employer. Good workmen should not be forbidden to protest at having to work along-side such misfits. (Sec. 106 (a).)

Organizational and Recognitional Picketing. The bill contains a ban on certain organizational and recognitional picketing. Objections to this are the same as similar provisions in S. 1555. (Sec. 106 (b).)

Secondary Boycotts. The bill makes it an unfair labor practice for a union to enter into any contract whereby an employer agrees to cease doing business with any other person.

The phrase "secondary boycott" is tinged with emotionalism, but it is a perfectly legitimate practice. Take a clothing manufacturer, for example. He is unionized. He pays good wages. But he gets his cloth from a non-union textile factory. The textile factory has fought and prevented unionization. It pays poor wages. Its conduct is a threat to union standards throughout the whole industry. So the union goes to the clothing manufacturer and in the mutual give-and-take of collective bargaining, the clothing manufacturer agrees not to buy cloth from the non-union factory. To get this agreement there is an equivalent concession by the union. That is all there is to the "secondary boycott."

Good laws cannot be written on the basis of such epithets. (Sec. 106(b).)

Economic Strikers. The bill would cut off the right of economic strikers to vote in a representation election after six months. Such an early and rigid cut-off date should be rejected. (Sec. 107(c).

Basic Rights and Privileges of Union Members. This section incorporates a number of the provisions in the McClellan "bill of rights," plus some others. These provisions are subject to the same general objections which apply to the "bill of rights" in S. 1555. (Sec. 109)

Reporting Requirements. This measure requires that reports (substantially similar to those required by S. 1555) verified by certified public accountants be supplied to the members of the reporting union. (Sec. 109)

The costs of hiring a certified public accountant would gut the treasuries of some small local unions with 50, 100, or 200 members.

No-man's land. The Kearns bill climaxes its display of utter disregard for any sound national labor relations policy by seizing upon one of the most radical and worst conceivable solutions for the problem of the "no-man's land." It would give state courts and agencies concurrent jurisdiction over labor disputes arising under the Taft-Hartley Act, unless there is a "direct and positive conflict" between federal and state law. Very simply, this would inevitably cause conflict in interpretations of the law and in the application of varying remedies. It would create an administrative nightmare. (Sec. 112)

THE BARDEN BILL, H.R. 4473

The Barden bill is entitled the "Labor Bill of Rights Act." It purports to deal with problems of corruption and unethical and undemocratic conduct in the labor-management field.

Licensing. Title I of the bill amounts to a licensing statute for labor unions. It requires unions to file a registration statement with the Secretary of Labor setting forth that its constitution and by-laws contain certain detailed provisions, on pain of loss of access to the NLRB and loss of Federal income tax exemption upon cancellation of the registration by the Secretary.

Under this bill, the Secretary of Labor would have vast and awesome powers greater than any enjoyed by any other Federal official in peacetime. A huge new bureaucracy would be necessary to assist the Secretary in carrying out his powers and functions under this bill. The most minute details of union business and operations would be subject to scrutiny. The very existence of many unions would wholly depend on the personal whims and predilections of the Secretary of Labor. (Title 1).

Fiduciary Responsibilities. The fiduciary responsibilities in Title II are subject to the same objections which are made to the similar provision in S. 1555. (Title II).

Trusteeships. Title III is virtually the same as the language on trusteeships which appeared in earlier versions of the Kennedy-Ervin bill. (Title III).

Public Law 86-257
86th Congress, S. 1555
September 14, 1959

AN ACT

73 Stat. 519.

To provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959".

DECLARATION OF FINDINGS, PURPOSES, AND POLICY

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

61 Stat. 136.
29 USC 141.
44 Stat. 577.
45 USC 151.

Emory F. Vie

NEW LABOR LAW OF 1959
with Explanation

"Labor-Management Reporting and Disclosure Act of 1959"

Compliments of . . .

HARVEY KITZMAN, Director
Region 10, UAW-AFL-CIO
225 EAST MICHIGAN STREET
MILWAUKEE 2, WISCONSIN

REGULATIONS

Labor-Management Reporting and Disclosure Act

Code of Federal Regulations

Title 29— Labor

Chapter IV

Office of Labor-Management and Welfare-Pension Reports, Department of Labor

SUBCHAPTER A—LABOR-MANAGEMENT REPORTS

Part

401 Meaning of terms used in this subchapter.

402 Labor organization information reports.

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452 General statement concerning the election provisions of the Labor-Management Reporting and Disclosure Act of 1959.

453 General statement concerning the bonding requirements of the Labor-Management Reporting and Disclosure Act of 1959.

U.S. DEPARTMENT OF LABOR

Labor-Management Services Administration

Office of Labor-Management and Welfare-Pension Reports

11-14-70

Labor Law — Landrum-Griffin

Ill-Conceived Provisions:

10-Year Record Disproves Need for Landrum-Griffin

The following is excerpted from "Landrum-Griffin: The First Decade," by J. Albert Woll, general counsel of the AFL-CIO, which appears in the November 1970 AFL-CIO American Federationist.

THE DEPT. OF LABOR office charged with enforcement of the Landrum-Griffin Act has summarized the law's first 10 years, reporting on its impact on labor unions, their officers and employes.

In short, the report emphatically refutes the claims of those who argued for the enactment of the law by characterizing labor organizations as racket infested, corrupt and undemocratic. The report demonstrates that there was no need in 1959 for the broad reach of the Landrum-Griffin Act, as finally drawn, and there is no need today for the continuance of many of its ill-conceived provisions.

The law was sold to the American public in 1959 as a mild reform measure allegedly needed to purge the American trade union movement of corruption. Formally known as the Labor-Management Reporting and Disclosure Act, it was spawned largely by the well-publicized investigation conducted by the Senate committee under the guidance of Sen. John L. McClellan (D-Ark.).

The result of this clamor was an extremely complicated, confusing and detailed law which included a conglomeration of provisions dealing with many facets of union activity.

During the first 10 years of the act's existence, approximately 67,000 union organizational or information reports have been filed with the Secretary of Labor. In addition, over 500,000 annual financial reports have been filed by unions. These organizational and financial reports lay bare almost every phase of internal union activity and procedure.

A disclosure file for each reporting labor organization is maintained at the national headquarters of the Office of Labor-Management and Welfare-Pension Reports. Also, in each of its 24 area offices throughout the country, one can find duplicate disclosure files for all unions within the geographic jurisdiction of the particular area office.

If unions are as racket infested, corruption prone and undemocratically run as was charged at the McClellan hearings, it would follow that the Labor and Justice Departments must have been very busy during the 10 years, filing court suits to correct these evils.

But what is this 10-year record? According to the report by the Labor Department, approximately 52,000 labor organizations have filed Title II reports during each of the first 10 years of the Landrum-Griffin Act. Estimating that these labor organizations have an average of at least seven officers per union, approximately 365,000 union officials have been subject to the criminal provisions of the law each year.

Yet, in the 10 years, only 628 union representatives have been indicted—an average of less than 63 each year—for violations of the law's criminal provisions. Only 485—an average of less than 49 each year—have been convicted of such violations.

About 97 percent of the convictions secured involved Title II violations, such as filing false union reports, making false entries in union records, failing to keep union records, failing to file union reports, destruction of union records, and the closely-related crime of embezzlement proscribed in Title V.

OF THE 365,000 union representatives actively engaged in the daily business of running a labor union, seven have been convicted of depriving other union members of their rights through acts of force or violence, with seven others tried on similar charges and acquitted; four have been convicted of illegally holding union office; one was found guilty of destroying union records; three were indicted for failure to file union officer and employe reports, but none was convicted for after one of the three was acquitted, indictments against the other two were dismissed; three were charged with failure to secure union bonds, but again with none convicted.

The record, therefore, discloses that only 12 union representatives out of 365,000, or three one-thousandths of 1 percent (.003 percent) have been convicted during the first 10 years for Landrum-Griffin Act crimes other than embezzlement and those offenses dealing with union reporting under Title II of the act.

Of the approximately 52,000 local unions filing disclosure reports in each of the 10 years the Landrum-Griffin Act has been in existence, each must have had at least three elections since 1959 because under the act, local unions must hold an election at least once every three years. So the 52,000 local unions have held at least 156,000 elections during the first 10 years.

After 10 years under the law, the Secretary of Labor had sought court authority to set aside only 177 such elections; 155 of these law suits have been filed against local unions, 10 have been filed against intermediate bodies, such as district councils, and nine have been filed against national and international unions. Two suits named both a local union and a district council as defendants and one action was instituted against a national union and one of its districts.

Up to June 30, 1969, final disposition has been made of 123 of these civil court actions. Of those 123 cases, 79 of the defendant unions were required to hold new elections under the supervision of the Secretary of Labor as a result of adverse court decisions or stipulations filed with the courts; 21 cases were settled by the unions involved stipulating that their future elections would be conducted in compliance with federal law; 10 cases were dismissed by agreement or at the request of the secretary; in 13 cases the court upheld the validity of the elections and refused the secretary's request to set them aside.

Nov 1970

health and safety conditions isn't possible unless government inspectors have the legal power and the administrative will to make surprise inspections. And there must be enough of these inspectors to make reasonably frequent inspections, just as there must be sufficient policemen to patrol the streets and highways.

Certain government spokesmen urging the passage of health and safety legislation justify it on economic grounds. The U.S. Department of Health, Education and Welfare's 1966 report, "Protecting the Health of 80 Million Americans," notes that these 80 million workers represent 40 percent of the nation's population and pay 60 percent of the taxes. If the health of these people could be improved so that they would be absent from work just one-fifth less, says the report, there would be a $10 billion increase in the Gross National Product.

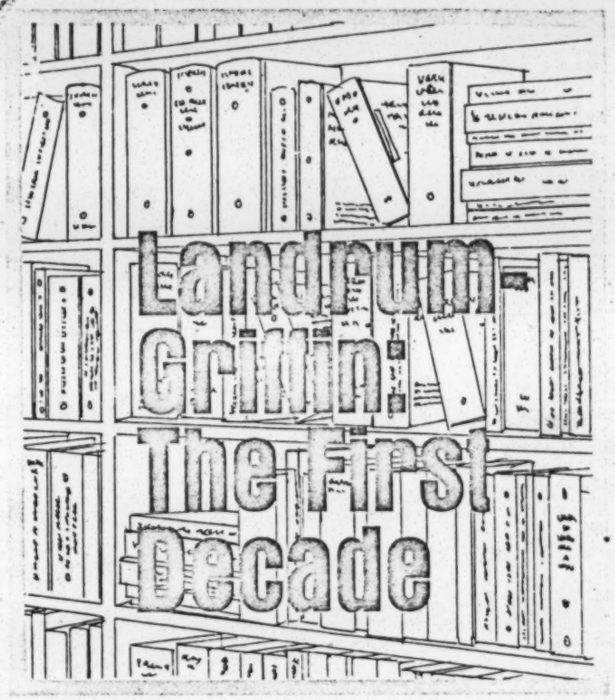
Gamesmanship with numbers misses the point. The protection of the bodies of the 80 million men and women who work is a matter of right, not economics. It is a matter of order and justice and it should be a matter of law.

Substantial, even dramatic, progress could be made through union-management negotiations and cooperation if unions will apply themselves to the task and managers will share the responsibility with unions. Such progress will lessen the need for government interference. An ideal situation might be one in which government holds strong powers but seldom finds it necessary to use them because union-management efforts have minimized the need for them. In such case the government could carry on enforcement with far fewer than the 16,000 inspectors, supervisors and clerks some observers estimate as being the current need.

No contract can fully outline safe and healthful procedures for a given industrial plant because the number of potential hazards which may arise is infinite. No union committee can negotiate a health and safety agreement and then walk away presuming the subject covered. Maintenance of proper conditions requires daily surveillance and intermittent corrections.

Labor and management, if there is a willingness on both sides, can negotiate written agreements as to the general conditions which must prevail, the methods by which these general rules may be applied, and the procedures by which differences of opinion between labor and management may be resolved.

The challenge to management is to surrender some of its rigidly retained responsibility and control. The challenge to government is to seek out facts and truths about present-day occupational and health hazards and to make its police power available on a standby basis so it can enforce law and order in the workplaces if management and labor fail to do so. The challenge to unions is to fulfill their responsibility to working people by insisting that every man and woman has a safe and healthy place in which to work.



by J. Albert Woll

The Department of Labor office charged with enforcement of the Landrum-Griffin Act has summarized the law's first 10 years, reporting on its impact on labor unions, their officers and employes.

In short, the report emphatically refutes the claims of those who argued for the enactment of the law by characterizing labor organizations as racket infested, corrupt and undemocratic. The report demonstrates that there was no need in 1959 for the broad reach of the Landrum-Griffin Act, as finally drawn, and there is no need today for the continuance of many of its ill-conceived provisions.

The law was sold to the American public in 1959 as a mild reform measure allegedly needed to purge the American trade union movement of corruption. Formally known as the Labor-Management Reporting and Disclosure Act, it was spawned largely by the well-publicized investigation conducted by the Senate committee under the guidance of Sen. John L. McClellan (D-Ark.).

Many who sought the enactment of this law hailed it as the magna carta of the worker and as a sound piece of legislation well designed to limit the dictatorial powers of the so-called "labor bosses" who, it was said, had subverted the rights of individual union members, misused union funds and by fraud, deceit, coercive tactics and "rigged" elections, had perpetuated themselves in union office.

The U.S. trade union movement, on the other hand,

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PAGINATION INCORRECT

saw no need for a law that dug so deeply into the internal affairs of unions. Pointing out that the corruption uncovered by the McClellan committee was confined to only a handful of unions and union leaders, it argued that a simple reporting and disclosure measure would be sufficient to deter union corruption and abuse. But the voice of organized labor was lost in the clamor for a tough, sweeping law that would make the federal government the policeman over the internal affairs of labor organizations and would further restrict and confine the organizing tactics of unions.

The result of this clamor was an extremely complicated, confusing and detailed law which included a conglomeration of provisions dealing with many facets of union activity. The sweeping nature of the Landrum-Griffin Act and its far-reaching effect on unions, both in the conduct of their internal affairs and in their collective bargaining activities, becomes readily apparent in the seven titles embodied in the law:

- Title I deals with what is labeled as the "bill of rights of members of labor organizations."
- Title II carries the heading "reporting by labor organizations, officers and employes of labor organizations and employers."
- Title III deals with "trusteeships."
- Title IV is identified by the single word "elections" with a sub-head reading "terms of office; election procedures."
- Title V is broadly headed "safeguards for labor organizations" and includes union bonding requirements; restrictions on union loans; proscriptions against the payment of union officers' fines; prohibitions on certain persons holding union office and restrictions on employer payments to union representatives.
- Title VI is a catch-all title and is appropriately labeled "miscellaneous provisions."
- Title VII embraces Taft-Hartley Act amendments and, among other things, tightens the bans on secondary boycotts and curbs organizational and recognition picketing.

Most of the law's provisions are enforced by the Secretary of Labor. His authority extends over the entire act with the exception of Titles I and VII. A great deal of this authority has been delegated by the secretary to the Office of Labor-Management and Welfare-Pension Reports under the general supervision of the Assistant Secretary for Labor-Management Relations. It is this office which issued the report dealing with compliance, enforcement and reporting under the Landrum-Griffin Act during the fiscal year 1969 along with a summary of the act's impact on labor unions and their officers and employes in the law's first 10 years.

Under Title II, each covered labor organization must disclose specific and detailed information with respect to its organizational structure and its procedures. This disclosure must be made in a report filed with the Secretary of Labor. In addition, each union must submit copies of its constitution and bylaws and must file with the secretary an annual report detailing the union's financial operations.

During the first 10 years of the act's existence, approximately 67,000 union organizational or information reports have been filed with the Secretary of Labor. In addition, over 500,000 annual financial reports have been filed by unions. These organizational and financial reports lay bare almost every phase of internal union activity and procedure. They are open to inspection by not only the secretary and his staff but by the public at large and union members with a legitimate interest in the reports. A disclosure file for each reporting labor organization is maintained at the national headquarters of the Office of Labor-Management and Welfare-Pension Reports. Also, in each of its 24 area offices throughout the country, one can find duplicate disclosure files for all unions within the geographic jurisdiction of the particular area office.

From 1959 to the end of fiscal 1969, over 560,000 reports had been filed by approximately 52,000 labor organizations. During the last five years over 12,000 persons have journeyed to Labor-Management Welfare-Pension offices to inspect disclosure files. Of these visitors, over 4,000 were workers; 3,500 would not identify themselves; approximately 2,200 were union or management attorneys; about 1,200 came from investigative agencies; slightly over 1,000 represented trade associations and around 300 were from the press. Beginning with the fiscal year 1964 the public has purchased over 320,000 pages of disclosure reports.

If unions are as racket infested, corruption prone and undemocratically run as was charged at the McClellan hearings, it would follow that the Labor and Justice Departments must have been very busy during the 10 years, filing court suits to correct these evils.

But what is this 10-year record? According to the report by the Labor Department, approximately 52,000 labor organizations have filed Title II reports during each of the first 10 years of the Landrum-Griffin Act. Estimating that these labor organizations have an average of at least seven officers per union, approximately 365,000 union officials have been subject to the criminal provisions of the law each year.

Yet, in the 10 years, only 628 union representatives have been indicted—an average of less than 63 each year—for violations of the law's criminal provisions. Only 485—an average of less than 49 each year—have been convicted of such violations. Thus, less than thirteen one-thousandths of one percent (.013 percent) of the 365,000 union representatives are convicted of Landrum-Griffin crimes each year.

About 97 percent of the convictions secured involved Title II violations, such as filing false union reports, making false entries in union records, failing to keep union records, failing to file union reports, destruction of union records, and the closely-related crime of embezzlement proscribed in Title V.

This 97 percent figure, of course, leaves very little room for convictions for other Landrum-Griffin violations. Including the crimes just mentioned, this law

created about 21 new federal offenses calling for fines and imprisonment. They run the gamut of offenses, such as the failure to secure union bonds; the making of union loans to union officers or employes in excess of $2,000; the payment of any fine imposed on a union officer or employe convicted of violating the Landrum-Griffin law; extortionate picketing; depriving union members of their rights by force or violence; the improper transfer of the funds of a trusteed local to its parent body; the serving as a union representative by a person previously convicted of specified crimes.

Of the 365,000 union representatives actively engaged in the daily business of running a labor union, seven have been convicted of depriving other union members of their rights through acts of force or violence, with seven others tried on similar charges and acquitted; four have been convicted of illegally holding union office; one was found guilty of destroying union records; three were indicted for failure to file union officer and employe reports, but none was convicted for after one of the three was acquitted, indictments against the other two were dismissed; three were charged with failure to secure union bonds, but again with none convicted.

The record, therefore, discloses that only 12 union representatives out of 365,000, or three one-thousandths of 1 percent (.003 percent) have been convicted during the first 10 years for Landrum-Griffin Act crimes other than embezzlement and those offenses dealing with union reporting under Title II of the act.

During the hearings on Title III, which severely restricts national and international unions in correcting local union abuses, labor leaders challenged the need for any federal law dealing with the imposition of union trusteeships over subordinate bodies. Recognizing that a few national or international unions had in the past abused their authority to impose trusteeships, union leaders argued that such abuse was not symptomatic of the labor movement. Consequently, they urged that no legislation be enacted until it was established that the evil was sufficient to require it.

AFL-CIO President George Meany told a Senate subcommittee in March 1958 that he doubted "a case has been made for federal regulation of trusteeships."

"We think it would, however, be desirable to find out whether the trusteeship abuses about which Sen. (John F.) Kennedy is concerned are in fact sufficiently widespread to call for government regulation," he said.

"We suggest, therefore, that there be added to the present Labor Department reporting provisions a requirement that international unions report the following: (1) the name of each subordinate body in trusteeship; (2) the date on which the trusteeship was established; (3) the reason for establishing the trusteeship; (4) whether the votes of the body in trusteeship were cast in union elections. A willfully false statement in such a report would be subject to the same criminal penalities as are such statements in other reports, and the powers proposed to be given the Labor Department to investigate the truth or falsity of reports filed with it would likewise apply.

"It may be that the bare requirement that a report of this sort be filed would, together with the other remedies now available, suffice to prevent trusteeship abuses," Meany told the subcommittee. "If not, the reports would at least provide information as to the need for further legislation and the directions it should take."

Although Meany's advice went unheeded, the history of this title of the law has demonstrated the wisdom of his recommendation.

In the 10 years, 1,757 Initial Trusteeship Reports were filed. This number, while seemingly large, is actually relatively small since there are over 52,000 labor organizations in the United States and the average number of trusteeships imposed each year over the 10-year period is only 175. More important perhaps is that the Secretary of Labor, who is empowered to institute court action to set aside any trusteeship not established or maintained in good faith for a purpose permitted under Title III, has seen fit to challenge in court, as illegal, a grand total of only four trusteeships.

Title IV of the Labor-Management Reporting and Disclosure Act makes the federal government the overseer of union elections. It concerns itself with the frequency of elections and establishes many requirements which must be met before an election will be regarded as validly conducted.

The enforcement of these provisions rests solely with the Secretary of Labor. Under one section of the law, a union member, after exhausting the internal union remedies available to him or after invoking them without receiving a final decision within three months, may file an election complaint with the Secretary of Labor charging union election violations.

When such a complaint is filed, the secretary is required to initiate an investigation. If the evidence warrants it, the secretary may then bring an action against the union in a federal district court. If the court finds an election has not been held within the time set by the act, or that the violation of the act may have affected the outcome of an election, it is required to declare the election, if any, to be void and order a new election under the supervision of the Secretary of Labor.

"The Department of Labor report . . . demonstrates that there was no need in 1959 for the broad reach of the Landrum-Griffin Act, as finally drawn, and there is no need today for a continuance of many of its ill-conceived provisions."

In his testimony before the Senate subcommittee in March 1958, Meany expressed grave doubt "that governmental regulations of union elections is feasible or warranted." Time has proven he was right.

Of the approximately 52,000 local unions filing disclosure reports in each of the 10 years the Landrum-Griffin Act has been in existence, each must have had at least three elections since 1959 because under the act, local unions must hold an election at least once every three years. So the 52,000 local unions have held at least 156,000 elections during the first 10 years. The Secretary of Labor might have been expected to have a litigation-filing field day, with scores of union elections invalidated each year. Quite the opposite is true.

After 10 years under the law, the Secretary of Labor had sought court authority to set aside only 177 such elections; 155 of these law suits have been filed against local unions, 10 have been filed against intermediate bodies, such as district councils, and nine have been filed against national and international unions. Two suits named both a local union and a district council as defendants and one action was instituted against a national union and one of its districts. Up to June 30, 1969, final disposition has been made of 123 of these civil court actions. Of those 123 cases, 79 of the defendant unions were required to hold new elections under the supervision of the Secretary of Labor as a result of adverse court decisions or stipulations filed with the courts; 21 cases were settled by the unions involved stipulating that their future elections would be conducted in compliance with federal law; 10 cases were dismissed by agreement or at the request of the secretary; in 13 cases the courts upheld the validity of the elections and refused the secretary's request to set them aside.

The setting aside by court order of only 79 union elections out of 156,000 seems ample proof that it was ridiculous in 1959 to claim that many labor organizations were run by hoodlums who perpetuate themselves in office through fraud and terror.

Because of this 10-year history, some may argue that organized labor should not be too upset with the election provisions since only a handful of unions have been required to re-run their elections.

The answer to that argument is quite simple: The evil impact of the law cannot be determined solely by the number of elections ordered to be re-run. Other harassing factors must be considered, such as time-consuming, union-disrupting, unwarranted investigations and needless and fruitless court proceedings that drain union resources in terms of money and manpower. Even in most situations where re-run elections are court ordered and thereafter supervised by the Secretary of Labor, the re-runs are ordered because of trivial and unintentional non-observance of technical provisions of the law. Then, when these re-run elections are completed at great expense to the union, the union members have affirmed, sometimes by a more resounding vote, their original choice of leaders.

Since the enactment of the Landrum-Griffin Act in 1959, the Secretary of Labor has investigated well over 1,000 union elections. Because of computing methods used prior to 1963, reliable election activity statistics are not available for the entire 10-year period. However, during the past seven years, approximately 60 percent of the investigations produced only harassment and disruption, with justifiable bitterness against unnecessary governmental intrusion into internal union affairs. Even the Secretary of Labor concluded that those investigations failed to uncover election violations warranting court action.

Even when the secretary does go to court and succeeds in getting an order setting aside a union election, the ultimate result of most re-run elections causes one to wonder what good, if any, has really been accomplished.

In that connection, the experience of one AFL-CIO union caught in the toils of the law is worthy of note.

From April 1 through May 31, 1966, the National Maritime Union conducted a mail ballot election for national offices and, upon its conclusion, a complaint charging election violations was filed with the Secretary of Labor. After an investigation, the secretary brought suit to set aside the election. In April 1968, two years after the original election, the United States District Court ruled that the outcome of the challenged election may have been affected by election violations and ordered a re-run election under the supervision of the Secretary of Labor. This ruling was affirmed by the U. S. Court of Appeals in New York in July 1968 and the re-run election was held.

In the almost three years that elapsed between the original election and the re-run election, the NMU was constantly in and out of court defending itself against the secretary's legal moves or instituting protective legal moves of its own.

Finally, after three years of legal skirmishes, the re-run election was held. It covered a two-month period and was conducted on a global basis with voting taking place at 32 separate ports in the United States and elsewhere in the world. When it was all over the same slate of officers was overwhelmingly elected, winning all eight national offices as well as the other 87 offices at stake, namely 14 port agents, 14 field patrolmen and 59 patrolmen.

"The setting aside by court order of only 79 union elections out of 156,000 seems ample proof that it was ridiculous in 1959 to claim that many labor organizations were run by hoodlums who perpetuate themselves in office through fraud and terror."

12-8-70

Labor Laws - L-G

Top Court Agrees to Rule on Labor Agency's Power to Police Internal Affairs of Unions

12/8/70

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Supreme Court agreed to rule on the scope of the Labor Department's authority to police the internal affairs of labor unions.

The department, under the 1959 Labor-Management Reporting and Disclosure Act, can sue to change union voting practices and other matters if a union member, after failing to gain reform through internal union procedures, files a complaint with the department.

The issue the High Court will decide sometime next year is whether the department also can sue to change improper union practices that are uncovered by its own investigation.

In other actions the Supreme Court:

Rejected Lee National Corp.'s plea for review of a key procedural issue in a damage suit brought by Lee against Atlantic Richfield Co., Goodyear Tire & Rubber Co. and Firestone Tire & Rubber Co.

Turned down the Justice Department's plea for review of the standards being applied by the U.S. Court of Claims in patent-infringement suits filed against the Government. The department asserted that the court of claims, by applying improper standards, is upholding too many suits against Uncle Sam.

In agreeing to decide the labor case, the Supreme Court accepted the Labor Department's plea for review of a lower-court decision restricting the department's authority under the Labor-Management Reporting and Disclusure Act. The 1959 law requires union locals to elect officers by secret ballot at least every three years and contains various provisions to ensure union members' right to vote. A member who believes his union isn't complying with the law can file a complaint with the Labor Department, which then can sue to set aside an election.

The new issue, concerning the extent of the department's authority under the law, was raised by a union member who ran unsuccessfully for president of a California local of the United Steelworkers. The member had protested inside the union the incumbent president's use of union facilities to prepare literature for his reelection campaign. The member's complaint to the Labor Department alleged that the incumbent's activities constituted illegal use of union facilities.

The department sued to set aside the election, charging illegal use of union facilities and, in addition, challenging a union rule that restricted candidacy for local office to those members who had attended at least 50% of all local meetings in the prior three years. The department's suit asserted that the rule made 90% of the members ineligible to run for office and that it hadn't been uniformly followed.

A Federal district court ordered the local to hold a new election and the U.S. Appeals Court in San Francisco affirmed the district court ruling. But the appeals court based its ruling on a finding that the incumbent president had illegally used union facilities, and it held that the Labor Department hadn't any authority to challenge the meeting-attendance requirement because the requirement hadn't been challenged in the complaining union member's internal union protest.

The appeals court said "Congress intended to empower the (Labor) Secretary to assert those violations that are apparent from a member's protest to the union and no others." The Labor Department apealed that part of the decision to the Supreme Court.

The Lee National Case

The procedural question raised in the Lee National case is an important one in antitrust a Sherman Act violation and denied Lee's motion for summary judgment. Lee attempted unsuccessfully to appeal the procedural question to the Federal appeals court in Philadelphia and then went to the Supreme Court.

The High Court didn't comment in denying Lee permission to appeal the procedural question.

The Patent-Issue Case

The Justice Department sought High Court review of the patent issue because, in the department's view, the Court of Claims has been applying a "much laxer standard than that prescribed" in previous Supreme Court decisions. The department asserted that the Court of Claims was applying lax standards in upholding the validity of patents in ruling on infringement suits brought by private patent owners against the Government. Such cases frequently are brought in connection with Government defense procurement.

The department told the Supreme Court it's concerned because more than 70 cases currently are pending in the Court of Claims alleging that the Government infringed on various privately owned patents. The department estimated that it could be liable for damages of up to $500 million under the pending infringement suits.

All infringement suits against the Government must be brought in the Court of Claims, a special tribunal.

The Justice Department asked the High Court to review the Court of Claims' standards on the basis of two cases decided against the Government by the claims court.

One suit was brought by Garrett Corp., a Los Angeles concern, for alleged infringement of two patents covering devices used in the manufacture of inflatable life rafts purchased by the Government for sea-rescue work. The other suit was brought by Standard Parts & Equipment Corp., based in Fort Worth, Texas, which is the licensee of a patent covering runway emergency lights, used at airports.

The Court of Claims upheld the validity of all three patents and ruled that the Government, by utilizing the patented devices, had infringed. The court ordered further proceedings on the amounts to be paidfby the Government.

The Supreme Court didn't comment in refusing to review the Court of Claims decisions in the two cases, except to note that Justices Black, Douglas and Blackmun voted for review. The affirmative votes of at least four of the nine Justices are necessary for review.

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The Lee National Case

The procedural question raised in the Lee National case is an important one in antitrust litigation. The question is whether, when the Federal Trade Commission rules that a company engaged in unfair or deceptive practices in violation of the FTC Act, the ruling on its face provides a basis for a competitor to bring a private antitrust damage suit against the guilty company.

The Clayton Antitrust Act specifically allows injured competitors to bring private antitrust suits for triple damages against companies that have been sued successfully by the Justice Department for price-fixing, or other violations of the Sherman Antitrust Act. In other words, for purposes of private damage actions, a successful Government suit is, on its face, evidence of a Sherman Act violation.

The law doesn't specify any parallel right to bring a private damage suit for violations of the FTC Act, however.

The question of whether a parallel right exists was raised by Lee National, which formerly was known as Lee Rubber & Tire Co. and was a tire maker competing with larger companies, including Goodyear and Firestons.

The origins of Lee's case go back about 10 years to a series of complaints issued by the FTC. Each complaint attacked an agreement between a major oil company and large tire maker under which the oil company agreed to promote, in its retail gas stations, sales of the manufacturer's tires, batteries and auto accessories. For its sponsorship, the oil company, as well as its retailers, received a sales commission from the tire maker. The FTC found such agreements in violation of the FTC Act, in part because they unfairly excluded competing tire makers from the service-station market.

The Supreme Court in 1965 affirmed the FTC's ruling in the agency's case against a sales-commission agreement Atlantic Richfield had signed with Goodyear in 1951. The same year, Atlantic Richfield signed a similar agreemnt with Firestone, sponsoring Goodyear products in some of its stations and Firestone products in others. But Firestone wasn't directly involved in the High Court's 1965 decision.

However, in a subsequent case the Supreme Court left standing an FTC decision against a similar agreement between Shell Oil Co. and Firestone. In a third case in 1968, involving an agreement between Texaco Inc. and Goodrich Tire & Rubber Co., the High Court, in upholding the FTC, said such agreements are illegal even when there isn't any evidence that an oil company coerced its retailers into selling a particular brand of tires.

Lee filed its triple-damage suit against Atlantic Richfield, Goodyear and Firestone in 1966, soon after the Supreme Court decided the FTC's case against the Atlantic-Goodyear agreement. The suit said that Lee had sold its tires to Atlantic Richfield retail gas stations from 1932 until 1951, when Atlantic signed its agreements with Goodyear and Firestone. Lee's suit sought damages for the 1951-1965 period, for the alleged losses in sales it had suffered because it was excluded from the Atlantic-stations market.

In 1967, after the High Court decided the Texaco-Goodrich case, Lee asked the Federal district court in which its case was pending to hand down a summary judgment in its favor. Lee's theory was that the Supreme Court's 1968 decision, even though based on the FTC Act, was the equivalent of a finding of a Sherman Act violation and thus Lee, under the Clayton Act, was entitled to damages.

But the district court rejected the notion that an FTC Act violation was the equivalent of

Unrealistic Goal? Analysts Say 4% Jobless Target Is Too Low

Continued From First Page

interest of improving opportunities for teenagers." (See story on page 3.)

At the same time, some economists note, women make up an increasing portion of the adult labor force, and the record clearly shows that unemployment runs higher among women than men. Since 1965, the number of women at least 20 years old in the labor force has climbed 20%, while the number of men has risen only about 5%. The rate of unemployment among adult women in recent years has been nearly twice as high as the rate of unemployment among men.

The female unemployment problem is compounded, according to some analysts, by the fact that teaching jobs, for which women traditionally have trained, are no longer going begging, as they were a decade ago. "Significant surpluses of elementary and secondary teachers are expected to occur" in the years just ahead, says Herbert Bienstock, a Labor Department official. "The traditional fields of employment for women may not be able to absorb the tremendous increase in women college graduates expected over the next decade."

The number of women receiving a bachelor's degree is expected to increase about two-thirds by 1980, Mr. Bienstock reports. This is nearly double the expected rate of increase for men.

Although no teacher shortage is anticipated, studies show that intense shortages will exist for doctors, dentists and engineers, fields where women, until now at least, have played a minor role. Women account for only 7% of all U.S. physicians, 2% of dentists and fewer than 1% of engineers. These statistics contrast bleakly with similar figures for foreign lands. In West Germany, 20% of the physicians are women. In England, the figure is 16%.

A recent study of the situation by Morgan Guaranty Trust Co. concludes: "It is plain that the U.S., compared with most foreign nations, is not taking full advantage of the brainpower and potential of women."

Some analysts say that the labor needs of the economy are undergoing a dramatic change at present, and that this also makes the 4% jobless goal unrealistic. They cite major cutbacks in military spending in recent months. Federal defense outlays in the third quarter were at an annual rate of $75.8 billion, down from $76.8 billion in the second quarter and $79.3 billion in the first. Defense spending now amounts to just over 7% of gross national product, down from nearly 10% two years ago.

In the process, thousands of highly skilled workers in defense industries have lost their jobs. Eventually, labor analysts expect that most of these people will find work in other fields. But such relocations, often necessitating extensive retraining, will take time. For the moment, many economists conclude, the shift away from defense is bound to complicate the full-employment problem.

"What we face here is not just the normal problem of getting back to full employment after a business recession, but that problem plus the problem created by the transition from defense to civilian employment," says Don R. Conlan, vice president and chief economist of Dean Witter & Co., a San Francisco-based securities firm.

For this and other reasons, Mr. Conlan says that the 4% jobless goal is "totally unrealistic." He regards 4.5% as the "absolute minimum" jobless rate that the U.S. economy can sustain, without an accompanying burst of sharp inflation. He cautions that even the 4.5% figure cannot possibly be reached, without causing new inflationary damage, until "about the spring of 1973," or well after the next Presidential election.

Jobless Construction Workers

Very large pay increases in some heavily unionized industries also add to the full-employment problem, in the view of many economists. They cite joblessness in the construction industry as an extreme example. Construction wage increases averaged 17.5% during the first nine months of this year, far above productivity gains in the industry, according to the Nixon Administration's recent "inflation alert." At the same time, however, some 324,000 construction workers, or more than a third of the construction labor force, are jobless.

Arthur Wood, president of Sears, Roebuck & Co., the country's largest retailer, recently showed how the construction wage spiral also kills jobs in other fields. "Because of the escalation of building costs," the executive said, "our company today can build three stores where a few years ago we could build four." That unbuilt fourth store, he added, "would have employed another 700 people."

Looking ahead, many economists fear that reasonably full employment will become even more difficult to achieve if a bill to restrict imports into the U.S., now pending in Congress, becomes law. "Any legislation that serves to protect labor inefficiency, as does this trade bill, also tends in the long run to cause unemployment," says an analyst at Chase Manhattan Bank, New York. "The emphasis should be on making the U.S. labor force more mobile and competitive, rather than more sheltered."

Bright Spots

Some economists note that not all developments on the labor front point toward a high jobless rate at full employment. As the 1970s roll on, the bulge in the teen-age labor force will turn into a bulge in the 25-to-34-year-old labor force, an age group where jobless rates are relatively low. At the same time, the increase in the under-25 labor force will be relatively small. The teen-agers of the mid-1970s, in large number, will be the children of persons born during the 1930s, a depression period in which the U.S. birth rate was unusually low.

Many analysts also attach considerable importance to various projects launched in recent years to provide job training and job placement for persons seeking work. "This is one area where, fortunately, the Government has been careful not to curtail programs," remarks Mr. Conlan of Dean Witter. One effort that economists feel is particularly helpful is the Labor Department's new Job Bank program. Operating in more than 50 U.S. cities, the program uses computers to alert job-seekers to job openings in a wide range of businesses.

Mr. Conlan cites another development that may eventually enable the economy to operate efficiently at lower unemployment levels: Women's Liberation. To the extent that the movement opens up more jobs in such understaffed fields as medicine to trained females, it will also tend to make full employment a more realistic goal, the economist asserts.

Labor Law —
Landrum Griffin

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AS AMENDED BY THE

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SUMMARY

GUIDE . . .

OF THE LABOR-MANAGEMENT

REPORTING AND DISCLOSURE ACT

JAMES P. MITCHELL

Secretary of Labor

JOHN L. HOLCOMBE

Commissioner
Bureau of Labor-Management Reports

The United States Congress declared that the Federal Government has the responsibility to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection.

Following the recent Senate investigations in the labor and management fields, Congress found that there had been a number of instances of breach of trust, corruption, disregard of the rights of employees and failure to observe high standards of responsibility and ethical conduct in administering the affairs of some organizations.

In order to eliminate or prevent future improper practices in the labor-management field, Congress enacted the Labor-Management Reporting and Disclosure Act on September 14, 1959.

The Act, in general, provides for the reporting and disclosure of certain financial dealings and practices of labor organizations, employers, and labor relations consultants; to prevent improper actions in these areas and in the management of trusteeships (union subordinate bodies whose right to run themselves has been suspended by parent bodies); to provide basic standards and methods for conducting elections and removing officers of labor organizations; to permit the States to regulate labor relations in those areas of labor-management conflict where the NLRB refuses or has no

jurisdiction; to plug certain loopholes in the protections against secondary boycotts; to regulate organizational and recognition picketing; and to make certain other limited changes in the Taft-Hartley Law.

The Act is worded broadly so as to cover the greatest number of labor organizations although unions composed entirely of Federal, State, municipal or other public employees are not included in this law. Neither are State and local central bodies.

Title I -- Bill of Rights of Members of Labor Organizations

This Title intends to guarantee democracy in union affairs by insuring basic rights such as equality among members, freedom of speech, assembly, and the right to have access to the courts, as well as protections from arbitrary discipline and increases of dues, initiation fees, and other assessements without fair procedures. Union members may enforce these rights by civil suit in Federal court for appropriate relief.

The Title also requires unions to give any member, upon request, a copy of any collective bargaining agreement which affects the member's rights. This requirement is enforceable by the Secretary under the reporting provisions listed below. Title I is not otherwise directly enforceable by the Secretary of Labor.

Title II -- Reporting and Disclosure

This Title requires labor organizations to adopt a constitution and bylaws (if they do not have one) and file a copy with the Secretary of Labor, along with details as to how they conduct their internal affairs. It requires unions to file annual financial reports containing certain

specified information "in such detail as may be necessary accurately to disclose its financial condition and operations."

The Act requires union officers, principal employees, certain employers, and persons providing labor relations consultant services to file reports on certain financial transactions, and to reveal "conflict of interest" dealings of union officers.

It requires employers to reveal what, if any, money is spent for the purpose of influencing employees in their right to join a union or choice of representation, or for learning what their employees' opinions and plans for collective action may be.

Basic financial records must be kept for five years. Wilful violation of Title II is a misdemeanor subject to $10,000 fine and up to one year imprisonment. Specific violations include knowingly making false statements of reportable facts or knowingly failing to disclose such facts and wilfully making false entries, concealing, withholding or destroying any books or records required to be kept to back up the reports. Each individual required to sign a report is personally responsible for the filing of the report and for any statements in it.

The Secretary of Labor is given the power to enforce these reporting requirements. He may take court action to see that the law is observed.

All reports are public, and all unions must make the reported information "available" to all of their members.

All unions must permit their members to examine, for just cause, all records necessary to check the accuracy of the reports. Union members may sue in Federal district courts to enforce this right.

The Act cancelled the filing requirements of the Labor Management Relations Act (Taft-Hartley) since the information required of labor unions by this Act includes generally what was required by "Taft-Hartley", except that non-Communist affidavits are no longer required.

Title III -- Trusteeships

This Title requires every labor organization which takes over supervision and control of one or more of its groups (such as an international taking over operation of a local) to file a report with the Secretary of Labor within 30 days after taking such control, and every six months thereafter. Such reports must include, among other things, the reasons for the trusteeship and a complete accounting of the financial conditions of the union under control. The same requirements for disclosure, regulations, and compliance of Title II apply to the reporting provisions of this Title and the same criminal penalties apply for wilful violations.

The Act lists the reasons for which a trusteeship may be set up and prohibits the transfer of funds of the local, other than normal "per capita" fees. Delegates from such locals cannot vote in union elections unless they are elected by secret ballot of members of the trusteed local. Upon a bona fide break-up of a trusteed union, distribution of its assets must be made in accordance with the union constitution and by-laws.

The Secretary of Labor, upon complaint of a member, or any member alone, may sue in Federal court to make unions follow these rules of the Act. However, only the Secretary may sue to enforce the reporting requirements. When the Secretary files a complaint, the court shall have exclusive jurisdiction. That is, an individual member could not also bring another suit, while the suit by the Secretary is pending.

Title IV -- Elections and Removal of Officers

The Act requires that union elections be held periodically by secret ballot, that reasonable opportunity be given for the nomination of candidates, the protection of freedom of choice in voting, due notice of elections, publication of the results of votes cast by local members, conduct of elections in line with the constitution of the union, conformity of the constitution to the Act, and preservation of election records. It prohibits the use of dues money of labor organizations, or of employer contributions to promote the candidacy of any individual.

Officers of local unions guilty of serious misconduct may be removed by the members if the Secretary of Labor finds, upon application of a member, and after a hearing, that the union's constitution and bylaws do not provide for removal. They also may be removed after a hearing and vote at the direction of the Federal district court in a suit brought by the Secretary as indicated below.

An election may be challenged by a member who has tried to remedy the situation through his union procedures and received no decision in three months, upon complaint to the Secretary of Labor, If, after investigation, the Secretary finds probable cause to believe a violation has occurred, he may bring action in Federal court to set aside the election and conduct a new election or hearing and vote upon the removal of an officer.

Existing rights and remedies to enforce a union's election bylaws are preserved before an election is held. Once the election has been held then the rights and remedies under the Act become the exclusive procedure for challenging its legality.

Title V -- Safeguards for Labor Organizations

Fiduciary duty

A fiduciary (position of trust) responsibility is imposed on officers, agents, shop stewards or other representatives of labor organizations, requiring them to hold and use monies and properties only for the benefit of the members and in accordance with the constitution and bylaws of the organization. Existing union bylaws freeing officers from any part of this responsibility are declared void as against public policy. Whenever any officer has violated the duties as laid down, and the union, upon request fails to sue, any member may sue for an accounting or other suitable relief, including the recovery of profits which might have been secured through activities in violation of these fiduciary (position of trust) duties. The Act also makes it a Federal crime for an officer or an employee of a union to embezzle or steal union funds.

Bonding

The Act requires every labor organization whose property and annual receipts exceed $5,000 to see to it that every officer, employee or other official who "handles" union funds is bonded in appropriate amounts for faithful performance of duty. It sets standards for acceptable security companies and prohibits bonding through an agent or with a company in which the union has an interest. Violations become criminal offenses under the Act. Labor Organizations are also prohibited from making loans to their officers or employees for more than $2,000.

Barring Criminals and Communists from Office

The Act prohibits Communists and persons convicted of certain listed crimes, including wilful violation of the Act's reporting requirements, from serving as union officers, agents, or employees, labor consultants, or officers or employees of employer associations dealing with unions, for five years after (1) quitting membership in the Communist Party, (2) date of conviction, or end of imprisonment,

unless citizenship rights, which may have been lost, are restored or unless the Federal Parole Board determines suitability of an ex-convict to serve.

Title VI -- Miscellaneous

Investigatory power of Secretary

The Act gives the Secretary of Labor authority to investigate violations of any part of the Act, except Title I or amendments made to other statutes, whenever he thinks it necessary to find out whether any person has violated or is about to violate any provision.

Preservation of existing laws

The Act makes clear that, except where it is plainly stated to the contrary, nothing in the Act shall be understood to reduce or limit rights and remedies or duties and responsibilities under other Federal or State law.

Cooperation with other agencies

The Act makes it clear that the Secretary may make arrangements for cooperation and mutual assistance with other agencies, Federal or State. The Attorney General is directed to receive from the Secretary evidence which may require criminal prosecution under this Act.

Discipline of union members

The Act gives union members a right of civil action against labor organizations for disciplining any member for exercising rights to which he is entitled. It also makes it a Federal crime to use force or violence, or threat, to interfere with the exercise by union members of rights given them under the Act.

Effective dates

The first reports of labor organizations on constitution and bylaws were required to be filed within 90 days after the Act became effective. Persons and

organizations required to file financial reports must file within 90 days after the end of their fiscal year. The first report however may cover only that portion of the year after first becoming subject to the Act.

The election provisions of the Act became effective 90 days after enactment if the union constitution could lawfully be changed by its officers. If not, the effective date of the election provisions is not later than the next constitutional convention or one year, whichever is sooner. If no convention is held within one year, the governing board of the union is empowered to make the necessary changes.

Most of the changes made by the Act to the Taft-Hartley Act take effect 60 days after enactment.

Title VII --Taft-Hartley Amendments

This Title contains the amendments to the Labor-Management Relations Act of 1947 (Taft-Hartley) which is enforced by the National Labor Relations Board.

The Act clarifies, strengthens and broadens the Board's jurisdiction and scope of action in such matters as voting by economic strikers, secondary boycotts, hot cargo agreements, organizational and recognition picketing, extortionate picketing, no-man's land situations, unlawful employer payments and discrimination.

The Department of Labor has no responsibility for investigation or enforcement in these areas.

# # # # # #

GPO 889317

TITLE I OF THE LANDRUM-GRIFFIN ACT
AFTER
FOUR YEARS OF COURT DECISIONS

Lucretia Dewey
April 1964

Collective Bargaining Seminar

Title I of the Landrum-Griffin Act After Four Years of Court Decisions

Background

The Labor-Management Reporting and Disclosure Act of 1959 is divided into seven titles. The first title grants certain rights to members of a labor organization, the second requires the reporting of specific information by officers, employers, consultants, and labor organizations, the third provides safeguards against improper trusteeships by national organizations over their locals, the fourth lists election procedures to be followed, the fifth deals with fiduciary responsibilities of union officers, the sixth is a catch-all of miscellaneous provisions and, finally, the seventh contains amendments to the Taft-Hartley Act of 1947.

Legislation of this kind had been contemplated in the past. As early as 1947 the American Civil Liberties Union was pressing Congress to adopt a Trade Union Democracy Bill. At that time, however, Congress was concerned with collective bargaining and rebalancing the employer-union relationship. Another pressure came from the National Association of Manufacturers, the United States Chamber of Commerce and other employer organizations who wanted to use anti-union public sentiment to revise labor relations laws to weaken unions. The unions themselves had tried to cope with their internal problems and passed the AFL-CIO Ethical Practices Code in 1955 which provided for sanctions and expulsion for those nationals not adhering to it; however, this proved to be relatively ineffective.

The direct impetus for its passage came from the disclosures made by the Select Committee on Improper Activities in the Labor or Management

Field, commonly known as the McClellan Committee. The flagrant racketeering, dishonesty among officers, misuse of union funds and denial of democratic procedures to union members revealed by the Committee brought forth a storm of public protest and subsequently the passage of the Landrum-Griffin Act.

The statute is not a complete reversal of policy, however, but has its beginnings from state court intervention and decisions dating in the 1940's. The courts had intervened on a common law basis to protect union funds, members' rights to participate in meetings and elections and to protect procedural due process in union discipline cases. Although reluctant to enter into the internal affairs of unions, the court had adopted and applied two common law principles to justify their intervening.

Under the property right doctrine, the courts reasoned that membership in a labor union must be protected against any unlawful interference. The property right extended to union benefits such as pensions and health insurance. This concept did not provide for nonmaterial benefits derived from membership such as participation rights which are equally if not more important. The second principle held that membership in a union creates a contractual relationship between the member and the union. The danger with this concept was that it guaranteed only what was provided in the constitution and if, for example, the constitution called for expulsion for criticizing union officers, the courts would carry out the contract.

Just what the Bill of Rights, Title I, has contributed to union democracy is examined through federal court cases over a four year period, covering September 1959 through December 1963. A few of the issues will be discussed, including: What a union cannot discipline its members for; Should a member who believes he has been denied the right to nominate candidates go to court or to the Secretary of Labor? Are union officers

protected from the union's disciplining procedures? Should a member bring his discipline case through the union's trial body for four months before going to court? What is a fair hearing as defined by the courts? What are some of the issues not covered by the law? These are just a few of the many questions raised by the Bill of Rights.

Disciplining Union Members

Some union officers have used their power of fining and expulsion to get rid of members or groups opposed to their policies, as revealed by the investigation of the McClellan Committee. The investigation showed that union members in certain unions were disciplined for speaking up at meetings making their views known and running for office. Once they were expelled and as a result denied employment, they had no place to seek relief.

The Bill of of Rights gives a union member disciplined for exercising certain democratic rights protection through use of the courts. The premise for establishing a Bill of Rights for union members is that unions are democratic institutions. According to Archibald Cox, the enactment of the Landrum-Griffin Act became inevitable when Congress, through the Wagner Act, accepted the majority rule principle and granted exclusive representation. Clyde W. Summers has also stated that the legal status of unions compelled government legislation in order to make or keep unions responsive to their members.

Title I provides that each union member has the right, subject to reasonable rules and regulations, to nominate candidates, vote in elections, attend, vote and participate at membership meetings and meet and assemble with other members. Each member has the right to a fair hearing if disciplined and the right to sue in a federal or state court. What these rights actually mean can be seen through some of the cases that have been

decided.

The courts have decided discipline cases on one of two possible principles. One theory holds that unions have the right as institutions to protect themselves from destructive internal conflict, the other holds that the individual member's rights are supreme and must be protected. The courts have adhered to the individual member's rights theory on all accounts.

In Salzhandler v. Caputo[1] the United States Court of Appeals, Second Circuit, New York, overruling the District Court, held that the Act was designed to protect the rights of union members to freely discuss and criticize the management of their unions and the conduct of their officers, and that even though Salzhandler's libelous statements may be the basis of a civil suit, the union cannot subject a member to any disciplinary action on a finding that his statements are libelous. The same decision was reached in Stark v. Twin City Carpenters[2] where the court found that even though a member's statement was false and bordered on slander, the speech is protected when the topic of conversation relates to union affairs. It further held

> "Trials for slander cannot be used to unfairly silence those who would attempt to unseat the incumbent in power or question their conduct as union officers, or both. Unions will not be allowed, subject to what was said earlier, to coerce so called malcontents into silence with slander trials. It would not be long before everyone who disagreed with the incumbents would be silenced by heavy fines or other punishment."

The United States District Court, Southern District of New York, in Farowitz v. Musicians[3], based its decision on whether the union member's conduct had violated the responsibility of every member toward the organization as an institution. In this case the member had distributed a pamphlet interpreting a court's decision on the legality of a union's taxes, and urged members not to pay them. The court held that Farowitz had a right to speak his mind and spread his opinions regarding the union's collection

of taxes regardless of whether the pamphlet reflected the legal situation.

Other decisions have held that picketing the local's office with signs displaying disparaging remarks about officers, although it may be mistaken criticism, is within the realm of free speech. (Gartner v. Soloner;[4] Graham v. Soloner[5])

Similar rights have been extended to formal opposition groups within an international union. When a group of officers and members formed the Local Union Reunification Committee which sought to oust President Cross of the Bakery and Confectionery Workers Union, they were disciplined. The union contended that it was within its right to take such action because the union's constitution made no provision for the organization of members formed to achieve intra-union political objectives. The court discounted the union's argument and held that their activities were directed against the present officers as distinguished from the BCW as an institution. (Moschetta v. Cross[6])

As has been seen, the courts have granted union members a wide range of freedom of speech without fear of union discipline, ranging from libelous statements to picketing, forming opposition groups and even campaigning for right-to-work laws in the noted California state case.[7] Unions will have to re-evaluate their concept of "conduct unbecoming a union member" and rationalize their disciplining.

Routes of Appeal

The bill of Rights of the Landrum-Griffin Act raised many problems, among them is Sec 101(a)(1) which guarantees every member the right to nominate candidates as one of the Equal Rights. Aside from stating this in Title I, a similar guarantee is provided for in Title IV which states that "a reasonable opportunity shall be given for the nomination of candidates

and every member in good standing shall be eligible to be a candidate to hold office." Both Titles qualify the right with "subject to reasonable rules and regulations."

At first impression it appears that this is a restatement of a right and should present no dificulty. The problem arises when two entirely separate routes for enforcing these provisions are found. The right guaranteed in Title I is enforceable in the federal district courts or, as provided for in Sec 103 of Title I, in state courts, while violations of the guarantee in Title IV must be processed through the Secretary of Labor.

A number of union members have claimed a denial of their rights to nominate candidates and brought their cases to the federal district courts. In Jackson v. International Longshoremen's Association[8] a member was nominated for union office and was notified by the President of the International that as a candidate he must submit to a physical examination. When he refused and was disqualified, a few union members protested, alleging they were deprived of their right to vote for a candidate of their choice. The United States District Court, Eastern District of Louisiana disclaimed jurisdiction and held that Title IV prescribes the procedures to be followed in nominating and electing union officers. Again in Boling v. Teamsters[9] a union member contended that he was denied the right to run for the office of local president and business manager. The United States District Court, Eastern District of Tennessee held that the question was governed by Title IV.

Again in Colpo v. Highway Truck Drivers, Local 107, IBT[10] a member was nominated for office and ruled ineligible because of the Union's constitutional continuous good standing provision. The United States

District Court, Delaware held that Title I includes no right to be a candidate and ruled that redress should be through the Secretary of Labor. Although a United States District Court, Western Pennsylvania District had declared an election null and void because of an omission under the union constitution, the United States Court of Appeals, Third Circuit (Philadelphia) reversed the decision. In this case, Mamula v. Steelworkers,[11] the court held that a District Court cannot enjoin or set aside an election regardless of whether the union constitution is deficient in setting forth nominating procedures for officers and that Title IV governs the question.

The exceptions came in Harvey v. Calhoon[12] and in Jackson v. National Marine Engineers Beneficial Association[13] where the members questioned the requirements for candidacy. In following the principle established, the Southern District Court of New York held that the matter should be brought under Title IV and commented,

> "It is hard to imagine any rule or requirement of candidacy, no matter how reasonable which would not similarly limit the number of people plaintiffs might nominate. If plaintiffs argument were accepted every eligibility requirement for office would fall within Title I."

The United States New York Court of Appeals, however, felt that the District Court had erred and reversed the decision. It reasoned that the members had unsuccessfully sought to nominate themselves, imposed an injunction on the election and ordered the union to submit new provisions for nomination.

The inclusion of the two separate rights to nominate appear to be for different reasons. In Title I Sec 101(a)(1) which is headed Equal Rights, it states that all members have the right to nominate a candidate, not, for example, just the Executive Board or the exclusion of a trouble-

some member. The decision as to who is rightfully a candidate, what the reasonable rules are which govern elections or any other question directly concerned with elections lies within the Secretary of Labor's jurisdiction. The exception to this is the Harvey case where the Court of Appeals usurped the Secretary's powers.

Officers, Included or Excluded?

The legislators who drafted the Bill of Rights were concerned about the protection of members from the power of the union officers. Title I seeks to restore and preserve the democratic rights of participation, voting and free speech to the members who they believed were being suppressed. One of the ironies that has come about over the four years since the passage of the Act is the use of the Bill of Rights by union officers who feel they are being wrongly disciplined.

The courts have been unable to cope with this unexpected use of the Act and have been divided in their opinions as to whether or not union officers are protected. Some of the court opinions have emphatically stated that the Act protects union members, not union officers, which is in fact an employer and employee relationship. This was decided in Bennett v. Hoisting Engineers,[14] Hamilton v. Guinan,[15] Burton v. Packinghouse Workers Union, Local 12[16] and Kelly v. Streho.[17]

Another theory the courts have adopted is that officers are also members and as such should be granted the same membership rights. For example, in a series of cases involving officers of the Bakery and Confectionery Workers Union, the District of Columbia Court held that the union officers who supported a campaign to oust the union President had had their rights under the Act violated when the union expelled and removed them from office. The court ordered the reinstatement of the Executive

Assistant to the President, because of his union membership, while denying reinstatement to the Public Relations Director because he was not a member of the union. These decisions were made in Moschetta v. Cross.[18]

The same decision was reached in King v. Grand Lodge, IAM[19] where six representatives appointed by the International President were terminated for supporting the wrong candidate for the office of General Secretary Treasurer. The union constitution provided that the President have full control over the Representatives and granted them an appointment document in effect for one year unless revoked. The six brought their case before a United States District Court. The Court ruled that there is an inextricable link between each plaintiff's status as a member and as an employee or officer of the union and that depriving a member of employment in the organization he is a member of is denying that link. The court went on to say that even if there is no link, depriving a member of employment is effective discipline and the discipline of supporting a losing candidate violates the purpose of the statute which is to protect free elections. The case was to be appealed.

The courts in deciding whether officers come under the Act have considered whether they were acting as members or as officers when they were disciplined. Such a theory holds that an officer has a dual function, that of an administrator and that of a member in a democratic institution. It is perhaps this dichotomy of roles that the courts will try to preserve. This distinction has been carried too far, as in the Moschetta case, and will no doubt result in more problems.

Exhaustion of Remedies

The exhaustion of internal union remedies provision found in Sec 101

(a)(4) has given rise to a variety of interpretations. The section states

> "that any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof."

Some court decisions have held that the four month period is a mandatory provision to be observed by union members who should not seek judicial relief until internal remedies have been tried and a four month period has lapsed. McCann v. Building Service Employees,[20] Acevedo v. Bookbinders, Local 25,[21] Johnson v. UAW,[22] Sanders v. Local 559, Carpenters.[23] Members have claimed that to go through the union procedures would result in futile action. Union members in Tomko v. Hilbert[24] made such an allegation. However, the court held that alleging futility could be measured only by initial resort to procedures embodied in the union constitution. In another case, Harris v. ILA, Local 1291,[25] a United States District Court held that union members may not avoid the union constitution by claiming possible long delays in processing a disciplined case, where there have been no attempts to exhaust available remedies within the union or any showing that such attempts would be in vain. The Appeals Courts held that as long as there is a likelihood that some decision will be forthcoming within a four month period and the aggrieved member has not shown that he will be harmed by being required to seek such a decision, the purposes of the Act require a member to give the internal grievance procedure the chance to operate which Congress deemed to be reasonable.

The court ruled in Deluhery v. Marine Cooks Union[26] that the exhausting of administrative remedies is not absolute as a condition to relief by the court, but that each case should be considered on its merits. It reasoned that if the courts are to review the first steps in administrative procedures taken by the union and enjoin them if error is found, then there

would be no need to provide for review and appellate procedures in union constitutions. The court said that it is only when the organization violates its rules for appellate review or upon a showing that it would be futile to invoke them that the pursuit of internal relief is excused.[27]

The deviation came in Detroy v. American Guild of Variety Artists where an appeals court found that in view of the legislative history of the section, Congress had no intention of establishing the absolute duty to exhaust union remedies. The statute provides that any member of a labor organization "may be" required to exhaust internal union remedies not that they "must" exhaust them. In the Appeals Court opinion, if it is probably that the union will grant no award or that its award will be so speculative that there is great likelihood court proceedings will be instituted anyway, then the court should render a decision. A court will also rule that exhaustion of remedies is not necessary if there are multiple appellate agencies, infrequent meetings and the absence of time limits for a decision in the constitution.

Two opposite opinions have been rendered by two different United States Appeals Courts but the latest decision in 1963 held that internal union remedies must be used. The 1963 decision indicates that the courts have recognized that the union's disciplining processes will be eroded if members are free to by-pass them.

A Fair Hearing

The authors of the rights section included a guarantee to any member fined, suspended, expelled or otherwise disciplined, except for nonpayment of dues, the right to be served with the specific charges, given a reasonable time to prepare his defense and be afforded a full and fair hearing. Just how far the courts have stepped into the internal union disciplining

procedure can be illustrated by a few cases.

On the question of the union basing its decision on sufficient evidence, the courts in all cases but one have ruled that it was not the duty of the courts to weigh the evidence of the case. In Phillips v. Teamsters, Local 560[28] the court held that it was not authorized to substitute its judgment for that of the union body. The reverse decision was reached by the United States Court of Appeals, Second Circuit, New York, in Vars v. Boilermakers[29] which held that although the courts may be without power to review matters of credibility, the court is justified in insuring that the union's findings have some foundation of evidence.

A number of cases have decided just what a member's rights are before a trial board. A member who is present at the hearing before the trial body, represented by fellow union members, confronted by witnesses, calling witnesses in his behalf and receiving a ruling not fraudulent, arbitrary or capricious is considered to have received a full and fair hearing. (Robinson v. Boilermakers, Local 104;[30] Anderson v. Brotherhood of Carpenters[31]) The right to be represented by counsel also doesn't apply to union members in hearings before their unions as decided in Smith v. General Truck Drivers, Local 467.[32] The court ruled in Parks v. IBEW[33] on the question of an International President's being both prosecutor and judge. In the court's opinion, the separation of functions is not an absolute due process prerequisite for fair administrative proceedings.

The courts rely on the union's own constitution which provides for the disciplining procedure. As long as the guarantees for a fair hearing are set forth and the union adheres to its own rules the courts will not interfere. The possibility remains that the courts may frequently step

into the trial board's decisions to see that along with democratic procedures, the decisions reached reflect impartiality. In Salzhandler v. Caputo[34] the court commented:

> "The Trial Board in the instant case consisted of union officials, not judges. It was a group to which the delicate problems of truth and falsehood, privilege and fair comment were not familiar."

Just as unions ask for an impartial arbitrator to decide labor-mangement disputes, they may have to formulate steps for internal disputes ending with a neutral's decision, similar to the UAW Public Review Board.

Not Covered by Landrum-Griffin

A number of union members have brought their cases to the federal courts which involve issues unrelated to the rights guaranteed in the Act. Benjamin Aaron, along with other critics of the Bill of Rights, has pointed out that the outstanding defect is one of omission; that is, no protection is made for individuals who want to join a union. There is no protection made against discriminatory activities of some unions. An individual, eligible for membership, who applies but is not accepted does not have a cause of action under the statute. (Moyahan v. Pari-Mutuel Employees Guild)[35] A United States Court of Appeals, however, did hold that a member who had fulfilled all the union constitutional requirements for transfer to a new local was a member of that local and entitled to "equal rights" under the law, even though the local had declined to grant him admission. The courts are not inclined to decide who is or is not qualified for membership since the rights in the statute are guaranteed to members only and do not create rights where none had existed. Other legislation would be necessary to enforce non-discrimination by unions.

Some members have sought a right to vote on collective bargaining

contracts or provisions. The courts have held that the right to vote on collective bargaining agreements was not a right guaranteed in the Act. (Orchestra Committee v. Musicians Local 4)[36] Voting on pension plans and seniority rights is also not mandatory under the rights . (Davis v. Washington State Council of Carpenters;[37] Horn v. Amalgamated Association of Street Employees)[38]

Union members have also gone to court to claim discrimination by the union in job referrals. In Green v. Local 705, Hotel & Restaurant Employees and Bartenders,[39] and Baruncia v. Local 55, Hatters[40] the courts have held that the question of job referrals comes under Sec 8(a)(3) of the Taft-Hartley Act which is under the jurisdiction of the National Labor Relations Board. In Lucas v. Kenny,[41] a case brought by a union member failing to receive job assignments, the court held that the matter was unrelated to the guarantees provided in the Bill of Rights and should be decided on the basis of what is provided for in the collective bargaining agreement. Only in an early case, Johnson v. Local 58, IBEW,[42] did a court hold that job discrimination interferes just as interference with the right to assemble, threat of physical violence or any other method of interference. The later cases have held that job referral is not a specified right in the statute and the route to relief is through the NLRB.

CONCLUSION

The greatest single accomplishment of the Bill of Rights has been to give each union member a set of rights which he can exercise, and to guarantee fair disciplining procedures to be secured through the courts if necessary. Title I reassures the member that he is entitled to speak at union meetings, assemble with other members, express his views and vote if he chooses to do so.

The cases have shown that the courts are ready to uphold a wide range of freedoms of speech and will reprimand the unions for disciplining members exercising those rights. The courts have held that members can make slanderous statements about members or officers, picket union offices and have sanctioned opposition groups within union.

As a result of these court decisions, there is a need for unions to take a new look at their concept of "conduct unbecoming a union member," a common phrase in many union constituttions. The unions will have to enumerate the acts which are subject to discipline, have time limits for decisions, streamline their appellate procedures, and provide for an internal judicial system to handle discipline cases ending with an impartial arbitrator. Unions will have to learn to do unto their members as they would have industry do unto them.

Neither the legislative history nor the Act clarifies two important issues, the exhaustion of remedies provision and officers' rights. As was pointed out, a number of decisions held that the four-month hearing requirement was mandatory before starting court proceedings. Late decisions sought to introduce flexibility into the four month rule by judging each case on its merits. The latest appeals decision has held that the four-month requirement should be strictly followed to give the union's internal trial machinery a chance to operate. Thus, the courts have made a complete circle in their decisions.

The courts have devised their own rules as to whether union officers are protected from discipline for expressing their views. The Act speaks of members' rights and makes no mention of officers. In a few cases the courts have decided that the Act was not intended to cover officers. In later decisions the courts have held that where officers are members their

rights will be protected just as those of rank and file members.

A fair hearing before a union trial body should give a member sufficient notice, allow him to have witnesses in his behalf, cross-examine adverse witnesses and receive a fair decision. If a member feels he has received a prejudiced decision, based on insufficient evidence, then takes his case to court, the court will review the trial board's decision and render a decision on the facts as it evaluates them.

Both Titles I and IV grant members the right to nominate candidates; however, the Title I provision guarantees general over-all rights while Title IV specifies election procedures. Violations of the Bill of Rights are brought to federal courts, whereas violations of Title IV are processed with the Secretary of Labor. When union members complain that they were denied their rights to nominate candidates for office, the courts held that Title IV governs and the route for relief outlined in that section should be followed.

The greatest defect of the Bill of Rights is the omission of a provision guaranteeing each applicant for union membership the right to be admitted without discrimination as to race, religion, origin or sex. The Act, as it now stands, protects those already members and the courts will not go beyond the wording of the statute.

Thus, once members are given rights which are protected by law, it becomes each member's duty to exercise them. Apathy towards democracy on the grass roots level can breed autocracy on the national level if opposition withers.

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FOOTNOTES

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2. Stark v. Twin City Carpenters. U.S. District Court, District of Minnesota. June 1963. 53 LRRM 2840.

3. Farowitz v. Musicians. U.S. District Court, Southern District of New York. May 1963, 53 LRRM 2843.

4. Gartner v. Soloner. U.S. District Court, Eastern District of Pennsylvania. July 1963. 54 LRRM 2146.

5. Graham v. Soloner. U.S. District Court, Eastern District of Pennsylvania. August 1963. 54 LRRM 2149.

6. Moschetta v. Cross. U.S. District Court, District of Columbia. July 1961. 48 LRRM 2607.

7. Mitchell v. IAM. California District Court of Appeals, Second Circuit. Nov. 1961. 49 LRRM 2116.

8. Jackson v. International Longshoremen's Associaton. U.S. District Court, Eastern District of Louisiana. December 1962. 52 LRRM 2638.

9. Boling v. Teamsters. U.S. District Court, Eastern District of Tennessee. December 1963. 54 LRRM 2704.

10. Colpo v. Highway Truck Drivers, Local 107, IBT. U.S. District Court, District of Delaware. December 1961. 49 LRRM 2295.

11. Mamula v. U.S. Steelworkers. U.S. Court of Appeals, Third Circuit (Philadelphia). June 1962. 50 LRRM 2354.

12. Harvey v. Calhoon. U.S. District Court, Southern District of New York. August 1963. 54 LRRM 2131.

13. Jackson v. National Marine Engineers Beneficial Association. U.S. District Court, Southern District of New York. August 1963. 54LRRM 2179.

14. Bennett v. Hoisting Engineers. U.S. District Court, District of Oregon. 45 LRRM 2782.

15. Hamilton v. Guinan. U.S. District Court, Southern District of New York. 49 LRRM 2356.

16. Burton v. Packinghouse Workers Union, Local 12. U.S. Distict Court, District of Kansas. November 1961. 49 LRRM 2122.

17. Kelly v. Streho. U.S. District Court, Eastern District of Michigan. January 1961. 47 LRRM 2609.

18. Moschetta v. Cross. U.S. District Court, District of Columbia. July 1961. 48 LRRM 2607.

19. King v. Grand Lodge, IAM. U.S. District Court, Northern District of California. March 1963. 53 LRRM 2363.

20. McCann v. Building Service Employees. U.S. District Court, Northern District of Illinois. January 1961. 47 LRRM 2965.

21. Acevedo v. Bookbinders, Local 25. U.S. District Court, Southern District of New York. June 1961. 48 LRRM 2708.

22. Johnson v. UAW. U.S. District Court, District of Minnesota. 47 LRRM 2166.

23. Sanders v. Local 559, Carpenters. U.S. District Court, Western District of Kentucky. June 1963. 54 LRRM 2234.

24. Tomko v. Hilbert. U.S. Court of Appeals, Third Circuit (Philadelphia). 47 LRRM 2812.

25. Harris v. IIA, Local 1291. U.S. Court of Appeals, Third Circuit (Philadelphia). 53 LRRM 2909.

26. Deluhery v. Marine Cooks Union. U.S. District Court, District of California. November 1961. 49 LRRM 2756. 51 LRRM 2682.

27. Detroy v. American Guild of Variety Artists. U.S. Court of Appeals, Second Circuit, (New York), January 1961. 47 LRRM 2452.

28. Phillips v. Teamsters, Local 560. U.S. District Court, District of New Jersey. October 1962. 51 LRRM 2383.

29. Vars v. Boilermakers. U.S. Court of Appeals, Second Circuit, (New York). June 1963. 53 LRRM 2690.

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31. Anderson v. Brotherhood of Carpenters. U.S. District Court, District of Minnesota, June 1963. 53 LRRM 2793.

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33. Parks v. IBEW. U.S. District Court of Appeals, Fourth Circuit, (Richmond). January 1963. 52 LRRM 2281.

34. Salzhandler v. Caputo. U.S. Court of Appeals, Second Circuit, (New York). April 1963. 52 LRRM 2908.

35. Moynahan v. Pari-Mutuel Employees Guild. U.S. District Court, Southern District of California. September 1962. 51 LRRM 2234.

36. Orchestra Committee v. Musicians, Local 4. U.S. Court of Appeals, Sixth Circuit, (Cincinnati). April 1962. 50 LRRM 2100.

37. Davis v. Washington State Council of Carpenters. U.S. District Court, Western District of Washington. 42 LRRM 2245.

38. Horn v. Amalgamated Association of Street Car Electric Railway Employees. U.S. District Court, Eastern District of Michigan. May 1961. 48 LRRM 2257.

39. Green v. Local 705, Hotel & Restaurant Employees and Bartenders. U.S. District Court, Eastern District of Michigan. July 1963. 54 LRRM 2372.

40. Baruncia v. Hatters, Local 55. U.S. Court of Appeals, Eighth Circuit, (St. Louis). August 1963. 53 LRRM 3002.

41. Lucas v. Kenny. U.S. District Court, Northern District of Illinois. August 1963. 53 LRRM 2949.

42. Johnson v. Local 58, IBEW, U.S. District Court, Eastern District of Michigan, February 1960. 45 LRRM 2685.

The Labor-Management Reporting and Disclosure Act of 1959 is divided into seven titles. The first title grants certain rights to members of a labor organization, the second requires the reporting of specific information by officers, employers and labor organizations, the third provides safeguards against improper trusteeships by national organizations over their locals, the fourth lists election procedures to be followed, the fifth deals with fiduciary responsibilities of union officers, the sixth is a catch-all of miscellaneous provisions and finally the seventh are amendments to the Taft-Hartley Act of 1947.

The question to be asked is why was such a statute passed. In searching for the reasons, it is found that as early as 1947 the American Civil Liberties Union was pressing Congress to adopt a Trade Union Democracy bill. At that time, however, Congress was concerned with collective bargaining and rebalancing the employer-union relationship. Another pressure came from the National Association of Manufacturers, the U. S. Chamber of Commerce and other employer organizations who wanted to use antipunion public sentiment to revise labor relations laws to weaken the unions. The unions themselves had tried to cope with their internal problems and passed the AFL-CIO Ethical Practices Code in 1955 which provided for sanctions and expulsion for these nationals not adhering to it, however, this proved to be relatively ineffectual. The direct impetous for its passage came from the disclosures made by the Select Committee on Improper Activities in the Labor or Management Field, commonly known as the McClellan Committee. The flagrant racketerring, dishonesty among officers, misuse of union funds and denial of democractic procedures to union members revealed by the Committee brought forth a storm of public protest and subsequently the passage of the Landrum-Griffin Act.

The statute is not a complete reversal of policy, however, but has its beginnings from state court intervention and decisions dating in the 1940's. The courts had intervened on a common law basis to protect union funds, members' rights to participate in meetings and elections and to protect procedural due process in union discipline cases. Although reluctant to enter into the internal affairs of union, the courts adopted and applied two common law principles to justify their intervening. Under the property right doctrine, the courts reasoned that membership in a labor union must be protected against any unlawful interference. The property right extended to union benefits such as pensions and health insurance, however this concept did not provided for nonmaterial benefits derived from membership, equally if not more important, such as participation rights. Secondly they held that membership in a union creates a contractual relationship between the member and the union and improper discipline, for example, would constitute a breach of that contract. The union's constitution and bylaws provided the basis for the courts' decisions.

With this brief background, a closer view of the Landrum-Griffin as seen through the eyes of the federal courts is necessary. It is by studying each case that we see the law develop. Have the dire predictions of chaos and a flooding of the courts by repressed members held true? Or on the other hand has there been only a few cases because of the costs involved in litigation, or members' apathy or lack of knowledge about the law? One attorney has maintained that Congress in its wisdom legislated confusion by not preempting state action which will promote non-uniformity. With a multiplicity of courts and a diversity of procedures uncertainty and confusion

will be the main and lasting legacies of Congressional intent. By in large the prediction of chaos has been unfounded except in two, but important, areas. One area deals with the exhaustion of internal remedies and the other is the question of whether the act covers officers.

The exhaustion of internal remedies means that a member is required to process his complaint against the union or its officers within the union's own reviewing machinery for at least four months. If after that time a member hasn't received an answer, he may take the union to a U. S. District Court. Directly related to this problems is the union's due process procedure. What is a full and fair hearing? Is merely asserting futility and unreasonably long delays sufficient reason to by-pass the union's established procedures? Should a court reverse a union's decision on the merits of the case?

The courts have split on the question of whether the four month exhaustion of internal remedies is an absolute requirement, however, the later cases have tended to judge the case on the facts presented. They interpret Sec 101 (a)(4) as meaning "may" not must. The standard in intervening on a cases by case basis becomes a question of irreparable damage or futility. As was pointed out in Harris v. ILA, Local 1291 how is futility to be determined if the member refuses and is allowed to by pass the union machinery. The courts' threatening to intervene no doubt will be an incentive to the unions to streamline their procedures, yet is it fair not to give the union at least four months to adjudicate a case. It might be noted that many courts would be hard put to match such a time limit.

The courts, in general, have held that they will not review the facts of a case, but merely see that procedural due process was granted.

A Court of Appeals, in Vars v. Boilermakers, held that the courts are justified in insuring that the union's findings are based on sufficient evidence. If this were to become the generally adopted principle for the court's to follow, the union's decision would be dependent upon the court's coming to the same conclusion. In Parks v. IBEW the Appeals Court held that courts should not step in by establishing ad hoc standards in the pursuit of democracy.

The procedural due process established by the act provides that a member be served with written specific charges, be given a reasonable time to prepare his defense and be afforded a full and fair hearing. This has been interpreted to mean that a member charged by the union has the right to be confronted by his accusers, be permitted to cross examine them and adverse witnesses, be represented by fellow union members and call witnesses in his defense. Robinson v. Boilermakers, L cal 104, Anderson v. Brotherhood of Carpenters. The guide posts for the courts are the unions' constitutions and bylaws, with reasonable time limits and procedures neither capriously nor discriminately applied. If the unions do not violate their own rules, the courts are generally satisfied and will not intervene.

The question of the coverage of officers in their union positions is one of the issues that the Supreme Court should decide to establish a principle and clearly define their rights, if any exist. Thus far the lower courts have been inconsistent in their rulings. The courts have held that union officers are not protected under the act and have dismissed the case for lack of jurisdiction. In other cases the courts have held that where officers are also members of the union they are accorded all the rights and privileges of membership which includes the right to support candidates of their choice King v. Grand Lodge, IAM, Sheridan v. Carpenters, Local 626. The line between officer membership and non-membership was drawn even sharper in Moschetta v. Cross where one officer, the Public Relations Director, was

not reinstated by the court and the Executive Assistant to the President was because of his membership. The courts also consider whether they were acting as members or as officers when they were disciplined. Such a theory holds that an officer has a dual function, that of an administrator and that of a member in a democractic institution. It is perhaps this dichotomy of roles that the courts will try to preserve. This interpretation will no doubt create more problems, for the opinions of an officer, whether elected or appointed, carry more weight with the general membership than the views expressed by other members.

Some decisions have made clear what the Act does and does not cover. There is no provision in the statute requiring a union to accept into membership a qualified candidate. A union cannot discipline a member for libelous or slanderous statements. Neither job rights nor voting on collective bargaining contracts within the scope of the Act. Questions relating to candidacy, nominations and elections should be brought before the Secretary of Labor. The notable exception to this is Harvey v. Calhoon where the Court of Appeals ruled that the union's constitution deprived members the right to nominate themselves.

Many irrelevant cases have been brought under the Bill of Rights by dissatisfied members, some with very legitimate complaints. The courts are narrowly interpreting these provisions and a wise union member seeking judicial relief should be sure that his complaint is specifically stated in the statute.

Title I - Bill of Rights of Members of Labor Organizations

Sec. 101 (a)(1) Equal Rights. --Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, and to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and by laws.

One of the early cases under this section was brought to a Southern New York District Court by members of a local who alleged their rights had been denied. In McFarland v. Building Material Teamster, Local 282, members made a motion at a union meeting to relieve the business agent, who had been indicted for bribery and extortion, to relieve him from functioning in an official capacity. The meeting was adjourned without a motion for adjournment and without a vote on the motion then on the floor. The court held that there was no reason for adjourning without taking a vote on the motion and directed that a meeting should be held within twenty days to vote on the suspension of the business agent. (1)

Rizzo v. Ammond involved the rights of members to vote for delegates to the International Convention. This local was under a trusteeship. The court, in this instance, decided that the plaintiffs should have resorted to the remedies for review of a complaint outlined in the International Constitution and Bylaws and that if the members were alleging improper conduct of the trusteeship, then the complaint should be directed to the Secretary of Labor. (2)

The right of a union member to transfer from one local to another is not protected by Sec 101 (a)(1) as decided by the U. S. District Court of New Jersey. The court reasoned that a member in good standing of a labor organization refers only to persons who are or have been members of a specific organization and the right to transfer to or from an organization is not included in Sec 101 (a)(1). (3)

(3)

On appeal, the Third Circuit of Philadelphia reversed the decision on the grounds that a union member who had fulfilled all the constitutional requirements for transfer to a new local was a member of that local and was entitled to "equal rights" under the law, even though the local had declined to grant him formal admission and recognition. (4)

One of the rights questioned by union members was that of voting on a pension plan referendum called for by the collective bargaining agreement. In Davis v. Washington State Council of Carpenters union members complained that they were denied the right to vote on the referendum. The Washington District Court decided that this right was not covered by the Act and since the referendum was set up prior to the enactment of Landrum-Griffin, it would not apply. The court further stated that the relief sought, that of restraining the actions of a joint bargaining committee of employers and employees, can not be brought under the Act because the committee involved is not a labor organization within the meaning of the Act.(5)

A similar case dealing with changes in the seniority provisions in collective bargaining was brought before the Eastern Michigan Court. The membership claimed that the change was made without the membership's approval. They complained that at a subsequent meeting a vote was taken to ratify the change, but it mislead the members as to its importance. In judging this case, the court held that Sec 101(a)(1) deals with equal rights and guarantees specific rights to union members and cannot be used as a catch-all provision for dissatisfied union members. (6)

A U. S. District Court, Northern District of Illinois decided that members of a local union were not entitled to an order directing their international and its president to issue a charter. It held that the court had no jurisdiction in the absence of oppression or fraud and the members' failure to exhaust their internal remedies. (7)

A Northern District of Ohio Court decided a case brought before it by union members of a symphony orchestra who alleged discrimination on not being permitted to ratify or reject collective bargaining agreements made on their behalf. They claimed that other union musicians vote at local union meetings on wage scales. The court stated that Sec 101 (a)(1) rights are limited to those specifically set forth and that the Act was not intended to require unions to submit for a vote all matters to the membership. The Act only requires that all members be accorded equal rights to vote in elections and to participate, deliberate and vote on business at union meetings.(8) On review the Sixth Circuit Court of Cincinnati held that the right to vote on collective bargaining agreements was not a right guaranteed in the Act and affirmed the lower court's decision. It also said that there is a difference between the right of union members to approve or reject a wage scale and the right to approve or reject a collective bargaining agreement. In one case, the musicians work under conditions that they have unilaterally agreed upon, in the other, they work under a contract with an employer. Under a collective bargaining agreement, the employer contracts with the representative of the employees. (9)

Sec 101 (a)(1) gave rise to a complaint by union members of a district which had not been invited to send delegates to the National Convention. The Northern District Court of Alabama held that the union constitution provision barring participation in conventions by district delegates had been known and in effect for more than twenty years and that members had failed to pursue administrative remedies as provided for by the act while showing no reason for failing to do so. Further, union members are not entitled to a temporary injunction against the

holding of the convention. The district, under the union constitution is in provisional status and is specifically barred from participation in the convention. The Act is designed to protect the right to vote and participate where that right exists and is not designed to confer the right to vote and participate where rights had not previously existed. (10)

What rights exist for Class B members remained undecided by a Southern New York District Court decision. A Class B member alleged he was denied the right to vote for the President, Vice President, Secretary-Treasurer, certain of the Executive Board members and other officers of the local union. Class B, semi-skilled, and unskilled workers, nominate candidates for Second Vice President, Recording Secretary, five Executive Board members and Sergeant at-Arms. The court decided that the court does not have jurisdiction to set aside the eledtion because relief should first have been sought through the union and post election remedies can be obtained only through the Secretary of Labor. (11)

A number of cases have come before the courts where union members seek a right to candidacy and union office. The question becomes one of Title I over which Federal Courts have jurisdiction or Title IV where the Secretary of Labor has jurisdiction. One such case came before the Delaware District Court. A union member alleged he was nominated as a candidate for the office of Recording Secretary and that the election committee rule him ineligible on the grounds that the International Constitution states that a candidate shall have been in continuous good standing for a 24 month period prior to nominations to be eligible for candidacy. The union member in this case had been late on two occasions with monthly dues payments. The court decided that nowhere among the rights enumerated in Title I is the right to be a candidate. Redress for a post election remedy is found in Sec 402, through the Secretary of Labor and Sec 403 permits pre-election redress in State courts. (12)

In another case, Jackson v. International Longshoremen's Association, a union member was nominated for the office of President and was notified by the International President that he must submit to a physical examination. When he refused, protesting that such a requirement did not exist in the Constitution or By laws, the International President disqualified him. Union members brought this case to the Eastern District of Louisiana contending they were denied their right to vote for the candidate of their choice. The court held that while Title I guarantees union members an equal opportunity to vote Title IV prescribes the procedures to be followed in nominating and electing union officers. In the case at hand, neither the right to nominate nor the right to vote was deprived. Whether the disqualification was proper is a matter to be resolved by Title IV provisions enforced by the Secretary of Labor. (13)

In Harvey v. Calhoon, union members complained of the requirements for nominations to office. The same question also was decided in Jackson v. National Marine Engineers' Beneficial Association.(14) The members contended that the requirements infringed upon their rights to nominate candidates as protected by Sec 101 (a)(1). The requirements for candidacy were: 1. The only candidate whom a member may nominate for any office is himself. 2. The practice of the District prohibits a member from nominating himself for more than one District Office. 3. The National Constitution of the union further restricts a member's right to nominate by providing that no member other than an incumbent official is eligible for nominations or election to a full-time elective office unless he has been a member for five years and has served 180 days or more of sea time on vessels ~~covered by~~ covered by Collective bargaining agreements with the national organization or its subsidiary bodies in each of two of the three years preceding nomination. The national constitution further provides that a candidate for the office of District President must have previously been elected and served as a full time and paid official

of an organization affiliated with the national body. The union members challenged the reasonableness of the sea time requirement because they felt they had a right to nominate someone who did not meet that standard. The Southern District Court of New York held: "It is hard to imagine any rule or requirement of candidacy, no matter how reasonable which would not similarly limit the number of people plaintiffs might nominate. If plaintiffs' argument were accepted every eligibility requirement for office would fall within Title I." The court further held that the matters complained of would be tested under Title IV procedures. The complaint, therefore, was dismissed. (15) The case was taken before the New York Court of Appeals which decided that the complaint was included under Sec 101 (a)(1) claiming jurisdiction and reversing the lower court's decision. The Court of Appeals reasoned that the union members unsuccessfully sought to nominate themselves and in that sense the union had deprived members of the equal rights and privileges to nominate guaranteed by Sec 101 (a)(1) . The court ordered an injunction against the holding of the election under the existing Constitution and Bylaws and directed the District Court to require the union to submit new provisions as to the right to nominate that meet Sec 101 (a)(1) standards. (16)

The former case was decided by the Court of Appeals on November 1963, a similar case was decided by an Eastern District of Tennessee Court on December 1963. A union member contended that he was denied the right to run for the office of President and Business Manager. The court held that the eligibility to be a candidate is provided for and governed by Title IV, Sec 401 (e) which is enforced by the Secretary of Labor. The union member also claimed damages but the court held that damages are not recoverable for denial of the right to be a candidate since an election is a fortuitous event. (17)

In a series of cases, Mamula v Local 1211, Steelworkers, a number of issues were raised and decided. The first case brought before the Western Pennsylvania District Court on October 1961, involved the International's constitution which did not provide any specific method for selection by local unions of nominees for office. The court

concluded that under the constitution there was no effective way for union members to exercise equal rights to nominate or be nominated as a candidate for District Director. The election was declared null and void. (18) The Court of Appeals, Third Circuit (Philadelphia) disagreed with this decision and held that a District Court cannot enjoin or set aside a union election regardless of whether the union constitution is deficient in setting forth nominating procedures for officers. Title IV governs procedures for nominating and electing officers. The Appeals Court reversed the decision and directed the District Court to dismiss the complaint. (19)

The second case decided in Febraary 1962, involved an officer who was removed from office and barred from holding office for five years. The court held that the procedural safeguards of the Landrum-Griffin Act which applied to disciplining members did not apply to removing officers, however the restriction on the number of years should not be imposed arbitrarily. (20)

The third case came to court when Mamula filed a complaint charging the union with interfering with his right to be a candidate for local union Presidency. The union determined that he was ineligible and refused to include his name on the official ballot. The court decided that Title I does not protect a member's right to run for office nor can a district pourt pass on the validity of an election before or after the election since there is a remedy in Title IV. (21) A June 1962, decision found that the Federal Courts do not have jurisdiction over a local union officer who had been removed from office for five years. The court said that such discipline was imposed on Mamula as an officer and not as a union member, hence not covered by the Act. It was his duty to follow title IV procedures. (22)

A Southern District Court of California decided that a union member complaining of of being recommended for expulsion for speaking against the union administration must first exhaust his internal remedies and was not entitled to a temporary injunction.

In Deluhery v. Marine Cooks Union, the court held that in determining whether or not the exhaustion requirement should be imposed, the preferable approach is to proceed on a case by case basis considering each case on its facts. (23) The same case came before the court more than a year later, on December 1962, however, his case was brought up under Sec 101 (a)(5). Deluhery sought to prevent the union from carrying out the Trial Committee's recommendation unless he was afforded a reasonable time to prepare his defense. The court concurred with the previous decision that administrative remedies must be exhausted unless such remedies are futile or result in irreparable injury. The courts cannot and should not intervene in any and every intra-union dispute. The rule is well established that the exhausting of administrative remedies is not absolute as a condition to relief by the courts but that each case should be considered on its merits. If the courts are to review the first steps in administrative procedures taken by the union and enjoin them if error is found, then there would be no need to provide for review and appellate procedures in union constitutions. The court emphatically said that it is only when the organization violates its rules for appellate review or upon a showing that it would be futile to invoke them that the pursuit of internal relief is excused. (24)

The following four cases deal with ballots for local and national elections. In the first case Beckman v. Local 46, Iron Workers Union, members complained that the ballot box was tampered with. The union maintained that the court lacked jurisdiction to restrain them from counting the ballots or ordering a new election and that the remedy was contained in Title IV. The court held that the disappearance incident of the ballot box might have lead to the removal of ballots cast by the members or the substitution of another box. In either case, the rank and file members of the union would be denied the right to vote. Union members need not wait for the counting of the

ballots and seek a remedy under Title IV, since an appeal to the Secretary of Labor is not the only method of redress. (25)

In Yochim v. Caputo union members sought to protect the voting rights of members against flooding of the election by non member votes. As a result of their action, they were fined and threathened with further retaliatory punishment. The court held that in view of the fact that, Sec 101 (a)(4) and 411 (a)(4) preserves the right of a union member to sue without interference by the labor organization and the claim that all remedies have been exhausted, then a pre injunction is not only proper but necessary. The court further held that those fines already paid were to be returned. (26)

Members of one of the locals composing the Suffolk County District Council of Carpenters sought to enjoin the holding of an election for Secretary-Treasurer and Business Agent. They claimed the use of the ballot form that required the voter to write in his choice destroyed the secrecy of the ballot and the failure to require all members to produce their due books or work cards as identification did not safeguard the votes. Wayfield, who brought the case to court, claimed he was nominated to the office of Secretary-Treasurer by a local other than his own, then denied the right to have the District Council distribute his campaign literature. The court decided that on the record presented, a preliminary injunction was not warranted, a write-in ballot did not dissolve the secrecy of the election and that Wayfield was not a candidate and could not appeal to Sec 401 (c). (27)

Balloting on the Machinists' Union Constitution came into question. The court held in Young v. Hayes that a ballot on proposed amendments to the constitution was defective. The ballot presented forty-seven amendments as one proposition and was not in accord with the union's own constitution which stated that "each subject" was to be "voted upon separately." The court also object to the ballot heading which stated "These changes made mandatory through passage of the Landrum-Griffin Act." The court issued an injunction restraining the international from putting the

constitutional amendments into effect. (28)

Employment rights are not included with the scope of the Landrum-Griffin Act as decided by three different courts. In Burris v. IBT members of the union heeded a strike called by the union in violation of the contract. The employer replaced the strikers and refused to reinstate them. When the replaced strikers requested the local officers to institute unfair labor practice charges, which they failed to do, the protesting strikers were disciplined. The union induced them to accept honorable withdrawal cards and were blacklisted from employers where the union had agreements, thus depriving them of employment. The strikers sought damages. The court decided that nothing within the Act or in the legislative history of the Act indicates or specifies that punitive damages are an appropriate relief. The Western District Court of North Carolina held that cases decided under the Labor-Management Relations Act followed the theory that absent express Congressional intention, punitive damages were not recoverable when invoking the jurisdiction of the court on a federally created cause of action. (29)

In Baruncia v. Local 55, Hatters, a member in good standing complained that she was able, ready and willing to work at her trade and was denied employment for two years. The court held that the facts alleged did not come within the meaning of Sec 101 (a)(1). The union member had instituted a complaint under Sec 8(a)(3) of the Taft-Hartley Act through the labor board but when her case was rejected and she did not appeal to the General Counsel, she had abandoned the administrative remedy available. (30)

A case was brought before the Eastern District of Michigan Court which involved charges of extortion, violence, intimidation, job discrimination in favor of those who paid to attend a waitress school. The member sought an injunction against beating and assulting plaintiffs and a placing of the hiring hall in receivership. Judgment was in favor of the union on the grounds that the charges made were not included under Title I and the question of job referral came under National Labor Relations Board's jurisdiction. (31)

The paying of dues to a union does not ipso facto give a person the privileges of membership, the Eastern District Court of Michigan decided. In this case a member was suspended from the union in 1953 and claimed the restoration of all privileges, benefits and rights of a member. He alleged continuing membership because his employer continued to deduct union dues from his wages which were sent to the union. The court held that the employee was required to sign an authorization card and approved of the continuing deductions because no charges are brought against the employer. The Landrum-Griffin Act does not apply to events occurring prior to the effective date of the Act. The court also said that his allegation that the union has not fairly represented him and has caused him pecuniary damages would be a case for the NLRB. (32)

Other cases involving the employment relationship were decided. In Johnson v. UMW, District 50 employee sought an injunction against the union and the employer to prevent them from paying out severance benefits to some, but not all, of the employer's workers. The court decided that it did not have jurisdiction of action absent a showing of an exhaustion of remedies within the union.(33)

A case came before the U.S. Districtt Court, Southern District of New York, where a member asked to be reinstated to his prior union status and to his regular job. In Cafero v. Typographical Union, the plaintiff based his action on the theory that the union regulations affected the employee's priority status and caused him to lose his job in violation of the Act. The court held that his case was devoid of facts and did not sufficiently allege a violation of the Act by the union. The Act deals only with the relationship between a union and its members. The case dismissed. (34)

Moynahan v. Pari-Mutuel Employees Guild involved an individual who was eligible and applied for membership in the union but was not accepted. The Southern District Court of California held he had no cause of action against the union under the Landrum-Griffin since the Act grants rights to union members. (35)

Conclusions on Sec 101 (a)(1)

On reviewing the cases thus far decided under Sec 101 (a)(1) some noticeable discrepencies are found in court interpretations. In deciding the questions of the right to candidacy, nominations and elections, the courts have held that Title IV governs which provides that relief be sought through the Secretary of Labor. Such a decision was reached in Colpo v. Highway Truck Drivers, Local 107, IBT (12), Jackson v. ILA (13) Boling v. Teamsters (17), the U.S. Court of Appeals, Third Circuit (Philadelphia) in Mamula v. U.S. Steelworkers (19), and Mamula v. Local 1211, Steelworkers (21).

The exception rendered by the U.S. District Court of Appeals, Second Circuit (New York) on November 1963. It is in Harvey v. Calhoon (16) the court ruled that it has jurisdiction over voting qualifications of the members. The Appeals Court believed that the limitations deprived members of the right to nominate themselves. The U.S. District Court, Southern District of New York first hearing the case, seemed to answer the question when it stated that any rule of candidacy limits the nominations.

The decisons have held that there is no right entitling a person to become a union member, rather unions are free to selection their own members. The decision made by the U.S. Court of Appeals, Third Circuit of Philadelphia in Hughes v. Local 11, Ironworkers[4] gave a person the right to join even though the union had refused him. The court relied on the phrase "equal rights". This decision is in contract to Moynahan v. Pari-Mutuel Guild (35) which held that this provision applies only to those already members and that the specific rights outlined are the only rights available. Along with this theory, the paying of dues does not automatically give a right to the privileges of membership, as held in Knox v. UAW (32)

The courts are in agreement that members are not given the specific right to vote on collective bargaining contracts as decided in Davis v. Washington State Council of Carpenters (5), Horn v. Amalgamated Association of Street Employees (6), Orchestra Committee v. Musicians, Local 4 (8) and (9).

Job rights are not within the perview of the Act as decided by Baruncia v. Local 55, Hatters (30), Green v. Local 705, Hotel and Restaurant Employee's and Bartenders Union (31) and Cafero v. Typographical Union (34).

This section is often used by dissatisfied members who have a grievance against the union, however, unless they are stated in the Section, the court has refused jurisdiction, as has been stated in Horn v. Amalagmated Employees (6) this section is not a catch-all provision. A member whose grievance is not covered by the Landrum-Griffin or the National Labor Relations Act will have recourse only through the union itself.

Sec 101 (a)(2) Freedom of Speech and Assembly. -- Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: Provided, that nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

This section grants specific rights to members, however the limits of these rights are determined by the cases coming to the courts. The scope of such rights was determined in one such case Salzhandler v. Caputo. In this case Salzhandler prepared and distributed an leaflet untruthfully attacking Webman, the President and business agent of a local of the crime of larceny. Caputo, President of District Council 9, appointed a Trial Board to hear the charges against Salzhandler who received proper notice and a fair hearing. The Trial Committee found him guilty, removed him as Financial Secretary and prohibited him from attending meetings, voting or being a candidate for office for five years. His rights and obligations as a member were continued in other respects. He filed an appeal with the General Executive Board. The Southern District Court of New York held that the limitation in Sec 101 (a)(1) & (2) make the equal rights provision subject to reasonable rules and regulations in the Union Constitution and Bylaws and provide that nothing in the freedom of speech and assembly provisions should be interpreted to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution. The attack which was circulated was in violation of the Union Constitution forbidding libeling, slandering or in any other manner abusing fellow members or officers of local unions unless its truth was established. The court recommended that he exhaust his internal union remedies and denied a preliminary injunction. (1)

The New York Court of Appeals rendered a decision on the case during April 1963. It held that the Landrum-Griffin was designed to protect the rights of union members to freely discuss and criticize the management of their unions and the conduct of their officers. "The Trial Board in the instant case consisted of union officials, not judges. It was a group to which the delicate problems of truth and falsehood, privilege and fair comment were not familiar." The court continued by saying that it is immaterial whether Salzhandler spoke truthfully or not. Although libelous statements may be the basis of a civil suit, the union may not subject a member to any disciplinary action on a finding that such statements are libelous. The Court of Appeals reversed the decision of the lower court. (2)

A series of cases came before the District of Columbia Court involving the rights of members of the Bakery and Confectionery Workers Union. In Alvino v. Bakery Workers Union members and officers supported a campaign to oust the Union President, as a result they were suspended and removed from their positions and offices in the union. The District of Columbia Court issued a preliminary injunction requiring the International Union to restore the status quo, deciding that the activities these individuals engaged in were protected against reprisals by the statute. (3) The court decided in Moschetta v. Cross on August 1960 that the disciplined union officers and members who supported a campaign to oust the Union President were being violated their rights under the Act. (4) In another case involving Moschetta v. Cross decided July 1961, the court held that the discharge of the Executive Assistant to the President of the Bakery and Confectionary Union because he supported and assisted in prosecution of action against the union is entitled to reinstatement with back pay. The court made this award because of his union membership. The discharge of the Public Relations Director was not deemed a violation of the Act because he was not a member of the union. (5) In the fourth case decided Jan. 1962,

Moschetta and others were founders and officers of the Local Union Reunification Committee (LURC), an organization formed in 1959 by local unions of the International Union. At a special convention in 1958, following its expulsion from the AFL-CIO on grounds of alleged corruption on the part of President Cross, BCW adopted a resolution calling for reunification of BCW with the American Bakery and Confectionery Workers International Union. The organization LURC called upon President Cross to resign, the only hold back to reunification. The court held that the existence and activities of LURC were protected by Sec 101 (a)(2), 101 (b), 501 and 609, therefore denying a preliminary injunction. The union argued before the court that the Constitution of BCW makes no provision for the organization of members formed to achieve intra-union political objectives. (6)

Members of the ILA claimed a denial of their rights, particularly the right to express their views, arguments and opinions on union business. In Harris v. ILA the court relied on the union's Constitution which provides that no member "shall institute any civil action, suit or proceeding in any court against the ILA, any of its local unions . . . or any officer. . .of any of its local unions on account of any controversy for which a remedy by trial or appeal is provided for in the Constitution, unless and until he has first exhausted all such remedies of trial and appeal." A union member alleged that he made a motion at a union meeting which was seconded but not voted on. The court held that he or any other member could have appealed in writing to the whole membership for the failure to vote on the motion and if the appeal were denied the next step would be to the Executive Council as provided for in the Constitution. The court commented that due to the confusion at the meeting in the past might account for the motion not being voted on. The preliminary injunction was denied, but the complaint could be renewed at any time. (7)

A motion to review was brought before the court July 1962. Harris' case centered on a threat alleged to have been made at a meeting held May 15 and an aura of unfairness and violence permeating the meeting, made it impossible for motions to be placed on the floor in a manner that the membership might vote on them without fear of intimidation and reprisal. The court found that the only specific threat of violence made at the meeting by a business agent that Harris might as well leave the waterfront if the motion passed because he was going to get rid of him so that the rest of the union wouldn't have to be worried by him any more. The business agent said he meant he would get rid of Harris as a member of the union by filing charges against him. The business agent also considered his statement a conditional resignation if the motion was passed by the membership which it wasn't. The court further rejected Harris' testimony as inconsistent and contradictory and reviewed the record which did not show that the union meetings had been unfairly conducted. The court also added the fact that the two parties used the court as a forum to justify their activities and criticize their opponents before the members present in the court. The complaint was dismissed with prejudice. (8)

Union members in Smith v. Johnson complained of impropriety at a union in connection with a vote on the matter of cashing savings bonds. The Eastern District Court of Louisiana decided that the members were not entitled to relief under the Landrum-Griffin Act. The union members failed to take proper action at the meeting to correct the impropriety they complained of and failed to appeal in accordance with the union constitution and bylaws. (9)

A case involving free speech at a local union meeting was decided by a District Court of Minnesota in Stark v. Twin City Carpenters. Stark referred to a controversial matter at a regular meeting and was punished. The court held

that the union violated a member's free speech under Sec 101 (a)(2) by subjecting him to a union trial for slander on the basis of statements he made at the union meeting concerning activities of the business agent in his capacity as union officer and was entitled to a preliminary injunction. (10) Three months later on September 1963 the same case came before the court. The court decided that a permanent injunction should be issued against the union. It reasoned that when questions are stifled and union democracy subverted, the honest union is in danger of becoming a corrupt union. Even though the statement was false and tended to border on slander, it is protected when the topic of conversation relates to union affairs. Trials for slander cannot be used to unfairly silence those who would attempt to unseat the incumbent in power or question their conduct as union officers, or both. Unions will not be allowed, subject to what was said earlier, to coerce so called malcontents into silence with slander trials. It would not be long before everyone who disagreed with the incumbents would be silenced by heavy fines or other punishment. Sec 101 (a)(2) left the unions with procedural power to govern its meetings and not be kept in session all night by one side or the other. (11)

Another case, U.S. v. Roganovich, arose out of a member's denial of speech at a union meeting. Roganovich and Santangelo were indicted as having unlawfully and wilfully through force and violence restrained, coerced and intimidated a member to interfere with and prevented the exercise of his rights to express his views under union buisiness then under discussion. The case went to court and Roganovich and Santangelo were found guilty, sentenced to one year and fined $100. Their jail sentences were suspended and they were placed on a year's probation. In the case before the Court of Appeals, Seventh Circuit (Chicago) these embers claimed that Sec 101 (a)(2) and 530 was intended to

legislate only within the area of union-member relationships and not within member-member relationships. The court decided that Sec 101 (a)(2) gives every member a right. . . to express his views respecting any business properly before the meeting. Sec 530 invokes criminal sanctions against any person not merely against union officers or agents. It held that criminal sanctions were contained in the Act which made it unlawful for any person to interfere or attempt to interfere, by force, with the exercise of a union member's rights under the Act. This decision affirmed the lower court. (12)

The Graham v. Soloner decision held that union members' right of free speech and assembly is not limited to freedom of expression among union members themselves, but encompasses such public expressions of opinion as picketing union offices with signs critical of union officers. The case involved members who were suspended from membership and fined for picketing union offices, addressing appeals from elections to the International Union and to the Secretary of Labor. (They also refused to pay fines imposed for failing to attend union meetings.) The court held thzt the suspension for picketing and appeals from the election was in violation of Sec 101 (a)(2). (Although the rule requiring a fine for failure to attend meetings is reasonable and proper) their over-all conduct was not such as to support suspension thereby granting a preliminary injunction. (13)

In Johnson v. Local 58, IBEW members sought an injunction restraining the union and their agents from attending any meetings or discriminating against them in their job rights. The union sought to dismiss the action on the grounds that the plaintiffs had been petitioning the IBEW for a local charter for Oakland County and had disturbed meetings and threatened officers. The union questioned the constitutionality of the Act's regulation of internal affairs to which the court answered that the activities and relationships regulated have a substantial effect on interstate commerce. On the member's claim of fearing discrimination in their job rights, the court held that the threatened retaliation by job discrimination interferes just as interference with the right to assemble, threat of physical

violence or any other method of interference. On the question of exhaustion of remedies the court held that in view of the multiple appellate agencies, infrequent meetings and the absence of time limits for decision in the Constitution the plaintiffs were justified in not seeking the internal remedies. The court refused to dismiss the case except over the class of plaintiffs who were not members of any labor organization. (14)

Conclusions of Sec 101 (a)(2)

The union cannot discipline a member for libelous or slanderous statements as decided in Salzhandler v. Caputo (2) and Stark v. Twin City Carpenters (11) or picketing in Graham v. Soloner (13) . Nor may unions discipline members and officers attempting to oust officers, Alvino v. Bakery Workers Union (3) nor declare an internal opposition group illegal, Moschetta v. Cross (6). Unions may, however, discipline hired officals who are not members Moschetta v. Cross. (5).

Sec 101 (a)(3) Dues, Initiation Fees, and Assessments. -- Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except. . .

The Eastern Pennsylvania District Court in Brooks v. Local 30, Roofers held that a dues increase voted by local union members was valid even though the vote was not implemented until a four month lapse occurred. When the increase was put into effect, it was less than that approved by the vote. The court dismissed the action. (1)

The following two cases involve the Musicians Union and their taxing procedure. In Farowitz v. Musicians the union member alleged violation of his rights and requested an injunction from the court requiring nullification of his expulsion and reinstatement. The case involves the union's 1½% tax which in previous cases, Carroll v. Association of Musicians and Cutler v. American Federation of Musicians the local's 1½% tax was held violative of Sec 302 of the Labor Management Relations Act. After the Carroll decision, the plaintiff circulated a handbill atttempting to interpret the court's decision and urged side men to refuse to pay the tax since the local's bylaws required the tax to be collected from the leaders which was held violative of Sec. 302. His distribution of the pamphlet after the local's Executive Board had issued and distributed a contrary interpretation led to his expulsion. The Executive Board interpreted the court decisions as meaning the local tax could not be exacted from the leader, but that individual members were still obligated to pay the tax. The plaintiff's pamphlet stated they were illegal per se and urged members not to pay. The union Trial Board found him guilty of seeking to undermine the existence of the local. The union advertised his expulsion in its newspaper stating that any member working with him would be subject to charges. The court reviewed the

the facts and dismissed the contention that the pamphlet deliberately misstated the court decision to intentionally harm the union. The court said the real issue was whether Farowitz's conduct violated the responsibility of every member toward the organization as an institution. The Southern District New York Court held that it would seem in the interest of proper and honest management of union affairs to permit members to question the union's method of obtaining taxes and the interpretation of union bylaws even to the point of urging other members not to pay the tax which he believed was illegal. If he had failed to pay his taxes the union could have expelled him, but his expulsion was based on the dissemination of his views. As far as the court was concerned, Farowitz had a right to speak his mind and spread his opinions regarding the union's collection of taxes regardless whether the pamphlet reflected the legal situation. On the question of exhaustion of remedies the court held that in such a case, where the violation of federal law is clear and the union had advertized the expulsion, depriving him of employment and the Appeal Board for three years had been involved in litigation in opposition to that urged by the plaintiff, he may seek immediate court relief. (2)

The tax question came before the court again in Schwartz v. Musicians. Here the complaintant questioned the legality of the tax as directly collected from the members, which he contended violated, Sec 302 of the LMRA, Sec 101 of Landrum-Griffin and the local's Constitution and Bylaws. The question the court sought to solve was whether the local taxes are membership dues, thus an obligation of the sidemen or whether they are the obligation of the leader. The court reviewed the history of the tax and decided that it was an obligation of the membership although at times collected by the leaders. The question becomes, the court held, whether a per centage levy in the form of a work tax is within the statutory phase of membership dues. The 1½% tax is within the statutory term of membership dues. The court also held that there was no violation of Sec 101

(2)(3) when the union sought to collect the tax directly from the members by either direct billing or check-off authorization. (3)

Conclusions of Sec 101 (a)(3)

The problems that have come under this sub-section are peculiar to the Musicians situation, howdver, the court's decsion in stating that the member had a right to distribute a pamphlet which erroneously interpreted the court's decision on the tax issue is in keeping with the decisions reached in cases arising under Sec 101 (a)(1) and (2).

D.

Sec 101 (a)(4) Protection of the Right to Sue. -- No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: Provided, that any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof:

A discharged employee and union member brought his case before the New Jersey District Court. In Allan v. Teamsters the plaintiff accused the union of refusing to process grievances against the employer under the terms of the collective bargaining contract. The court held that the right to a copy of the collective bargaining agreement did not give a member the right to sue the union to make it carry out the contract under the Landrum-Griffin Act. (1)

In Tomko v. Hilbert the court held that it did not have jurisdiction of action brought by a local President who failed to exhaust the internal remedies available to him under the Constitution. The court decided that his contention that resort to such remedies would be futile would not satisfy the jurisdictional requirement. The case decided July 1960 held that the allegation of futility could be measured only by initial resort to procedures embodied in the union Constitution. (2) The case came before the U.S. Court of Appeals, Third Circuit (Philadelphia). Tomko sought damages and an injunction alleging Hilbert and another member of the Steelworkers Union libeled and assulted him, by means of threats, force and disorderly conduct and unlawfully intereferred with his rights as a member and officer of Local 1408. The Court held that since Tomko did not allege that a labor organization or any official or agent acting in its behalf had instigated or performed the acts complained of, private misconduct which incidentally may frustrate his rights as a union member does not give rise to an action under the Bill of Rights. (3)

The U.S. District Court of Delaware heard a case involving a union member who was suspended from membership and removed from the office of business agent. It appeared reasonably probable to the court that the business agent was improperly removed from office upon charges based upon his prosecution of a fellow union member for assault and battery in a municipal court. In Sheridan v. Carpenters, Local 626 the court held that the action he exercised was a right guaranteed him by Sec 101 (a)(4) and union discipline would be unlawful under Sec 609 of the Act. The exhaustion of remedies procedure does not bar a temporary restraining order enjoining a special meeting to elect a temporary business agent to act for the business agent who was suspended and removed from office. (4) The case was brought before the court again, Sheridan seeking damages and reinstatement to office. The court awarded him wages lost as a result of his removal from office, however he was not entitled to reinstatement to office, since the damages in amount of lost earnings constituted an adequate remedy and only a short time remained before the term of office would expire. The court said that the union's contention that the Act does not protect the right of a business agent to hold office does not apply since he was exercising his right as a union member under Sec 101 (a)(4). (5)

Union members' complaint alleging improper disciplinary procedures in union's refusal to register or refer them for employment is not subject to dismissal for failure to allege exhaustion of internal union remedies, since the exhaustion of remedies provision is not absolute, as decided in Figueroa v. National Maritime Union. The Southern District of New York Court during March 1961 held that questions remain whether reasonable hearing procedures within the union were available and if so, whether members should have utilized them and on this ground the motion to dismiss was denied. (6)

In Harris v. ILA, Local 1291 members of the local claimed a denial of their rights, particularly the right to express their views, arguments and opinions upon union business at its meetings as granted in Sec 101. The Eastern District Court of Pennsylvania held that union hearing procedures under the union constitution which provides rules for orderly adjudication of all grievances and appeals is not unreasonable and union members who claim a denial of their rights to express opinions on union business at its meetings may not avoid the union constitution by mere claim of possible long delays in processing a charge, where there have been no attempts to exhaust available remedies within the union or any showing that such attempts would be in vain. The court did stipulate that there might be occasions when the union constitution need not be followed, nevertheless, courts should be cautious in disregarding instruments of union government. (7)

A case came before the Eastern District of Tennessee Court which involved a number of issues. A union member filed charges against the local's business agent on discrimination on referral for employment. The Union Executive Board dismissed the charges and the aggrieved member then filed charges with the National Labor Relations Board for violation of Sec. 8 (b) of the NLRA. The business agent then charged him with the failure to exhaust internal remedies. The union Executive Board voted to sustain the charges and imposed a $100 fine. The union member appealed to the General Executive Board which affirmed the fine and he then appealed to the General Convention scheduled for 1966. The complaintant continued to pay his dues and seek to maintain his membership in the union. The local refused to accept his dues without payment of the fine. He was then suspended for non-payment of dues. He attempted to pay the fine but the union requested a $1.00 reinstatement fee, which he declined to pay. When he attempted to attend a union meeting he was bodily thrown out for refusing to leave. The union

argued before the court that he had resorted only to a technical exhaustion of remedies and that he had not made a good faith presentation of his case to the union. The court decided in McGraw v. United Association of Journeymen & Apprentices of the Plumbing and Pipe Fitting Industry, Local 43 that the courts should not be required to examine and pass judgment upon the skill or competance with which a member presents his claim to the union before resorting to the courts. It is not required that a member utilize four months. The court was of the opinion that the union's action in imposing the fine on the plaintiff violated Sec 101 (a)(4). The union's suspending him, declining his dues and excluding him from union meetings did constitute a denial of equal rights and freedom of speech. The court awarded him nominal damages of $1.00 since evidence failed to establish that he lost employment, he was not, however, entitled to attorney's fees. McGraw had also requested to inspect the union records. On this, the court held that just what records he sought was not determined nor whether they are records of the kind required to be disclosed under Sec 201 or whether he had shown just cause for having them produced. (8)

In Harris v. ILA (see 7) the U.S. Court of Appeals, Third Circuit (Philadelphia) held that the prescribed hearing procedures met the standard of reasonableness in Sec 101 (a)(4). As long as there is a likelihood that some decision will be forthcoming within a four month period and the aggrieved member has not shown that he will be harmed by being required to seek such a decision, the purposes of the Act requires a member to give the internal grievance procedure the chance to operate which Congress deemed to be reasonable. The plaintiffs had instituted no formal proceeding whereby the ILA might have corrected the abuses alleged. The court found that from the facts and inferences drawn, the union members failure to resort to internal procedures was not a product of ignorance of the procedure but a preference for the judicial form. (9)

A union member sought an injunction against the maintenance of his name on an unfair list of variety entertainers. The background information of Detroy v. American Guild of Variety Artists started with Detroy's refusal to pay an arbitration award rendered against him in favor of a resort where he was under contract to perform. The Southern District Court of New York decided that the placing of his name on the unfair list constituted disciplining. Detroy alleged that the union never gave him a reasonable time to prepare his defense nor afforded him a full and fair hearing. The union argued that the arbitration procedure provided such a hearing. The court held that the object of the arbitration proceeding was to determine a financial dispute between the parties and could not be considered a disciplinary hearing. It was provided neither in the Constitution nor Bylaws that failure to pay the award would result in placing a member's name on an unfair list. The union argued before the court that Detroy could not bring his complaint to court until he had exhausted his internal remedies. The court interpreted Sec 101 (a)(4) to mean that Detroy must prosecute for a four month period within the labor organization before applying to the U.S District Court for relief. (10)

The case came before the U.S. Court of Appeals, Second Circuit, (New York). The court held that the District court's decision that a union member had an absolute duty ot exhaust union remedies was erroneous. The legislative history of the Section indicates that Congress had no intention of establishing such a rule. The statute provides that any member of a labor organization "may be " required to exhaust the internal union remedies not that the "must" or is required to exhaust them. The court said that Sec 101 (a)(4) was incorporated in order to preserve the exhaustion doctrine as it had developed, otherwise the right to sue would abrogate the prior resort to internal procedures. It held that a member who attempts to institute proceedings before a court or an administrative agency may be required by that court or agency to exhaust union remedies of less than four month's duration before invoking outside assistance. The Court of Appeals held that

federal courts are not bound by the doctrine of exhaustion of remedies as developed by state courts, but rather the federal courts may develop their own principles. It was their opinion that each case be decided on its own facts. If it is probable that the union will grant no award or that its award will be so speculative so that there is great likelihood that court proceedings will be instituted, then the policy calling for exhaustion of remedies will not apply. The court held that where internal remedies are uncertain and have not been brought to the attention of the disciplined party, the violation of the federal law is clear and undisputed. It concluded that the facts of the case warrented immediate judicial intervention. (11)

In Gartner v Soloner the plaintiff sought to enjoin the union from fining and suspending him from membership for a period of one year. Prior to an election union officers informed the membership that unless a member had paid up fines and dues, he would not be permitted to vote. Gartner, himself paid up, led pickets to the union office. When he was defeated in the election he appealed it to the Department of Labor which found no violation. The union charged him with unauthorized picketing of the local and displaying signs which contained disparaging remarks about specific officers. He was charged with bad faith in taking his appeal to the International Union and the Secretary of Labor. He was also charged with the removal of a union notice posted on the bulletin board of the work place. Gartner was fined $75 and appealed to the International Union. The U.S. District Court of Eastern Pennsylvania held that while he may be mistaken in his criticism of the local's leadership, he still has the right to express his opinion without fear of sanctions. He is entitled to express his opinions by means of picketing with signs bearing his criticism. The court decided that suspension and fining were in violation of the Landrum-Griffin Act and that he be reinstated as a member in good standing in the American Bakery and Confectionery Workers Union. (12)

A union member sought a preliminary injunction to restrain the union from holding a scheduled election. In Coburn v. Operating Engineers, Local 3 the plaintiff alleged disciplinary measures were taken against him in retaliation for his commencement of a libel and slander suit against certain officers. He sought the injunction until his eligibility for candidacy was decided by the court. The union showed that Coburn had been convicted of forgery in 1953. The U.S. District Court of California held that this case differs from the Sheridan case in that he had been removed from office and that it was reasonably probable that the plaintiff would be ultimately successful in establishing an improper removal. The court held that Sec 504 states certain minimum qualifications concerning the eligibility of persons to hold union office. Sec 401 (a)(e) grants the union the right to impose further restrictions, provided that the qualification is reasonable and uniformly imposed. It further held that it would not issue an injunction and would not hold that the Bylaw is an unreasonable qualification uniformly imposed which prohibits a member convicted of a crime to hold office. (13)

Another case involved a union member seeking a temporary restraining order to enjoin the union from conducting an election to which he claimed the nomination for office of business representative and financial secretary. In Sanders v. Local 559, Carpenters the Western District Court of Kentucky held that he must exhaust his administrative remedies and then his recourse would be to the Secretary of Labor. (14)

In Williams v. U.M.U. the Court of Appeals, Fourth Circuit (Richmond) held that the Federal District Court did not have jurisdiction in a case against the United Mine Workers to enforce or assist a union member claiming his rights to benefits against Trustees of U.M.W Welfare and Retirement Fund. (15)

In Carroll v. Musicians the plaintiff sought an injunction requiring the nullification of his expulsion from the union, his reinstatement as a member of the union and the prevention of any retaliatory measures by the union on his business.

Local 38 charged him with failure to pay a $13.20 traveling surcharge and not filing the form B contract. He was informed that the International Executive Board had found him guilty and imposed a $50 fine. After not paying the fine he was removed from membership. Local 802 found him guilty of failing to pay the prescribed wages and fined him $450. This fine he paid but when he attempted to pay the $50, it and his dues were not accepted because of his nonmembership. The court decided that on Local 38 charges he had exhausted his remedies because an appeal to the Convention would have exceeded the four month appeal period. On Local 802 charges the court held he had not exhausted his internal remedies but would in any case consider the charges. The Southern District Court of New York held that there was substantial evidence to support his violation of the Union Bylaws, since he had admitted the charges and no violation of Sec 101 (a)(2) had been proved. He contended before the court that he was expelled because of the violations of the union regulations he was challenging in a suit he filed attacking union wages as illegal in an anti-trust case. In the court's judgment a union member must still continue to obey the regulation which he has challenged in the suit. The court held that it lacked jurisdiction to reinstate him, absent an illegal expulsion. (16) The case came before the Court of Appeals, Second Circuit (New York). The expelled orchestra leaders sought to maintain a class action to enjoin the union from collecting from leaders certain taxes, travelling surcharges and welfare plan payments. The Appeals Court held that since they can not seek equitable relief for themselves, they cannot represent a class of orchestra leaders all of whom are union members. (17)

Conclusions on Sec 101 (a)(4)

The question of the exhaustion of remedies is one which has given rise to the most diversified court opinions. In cases coming under Sec 101(a)(1) the courts denied relief on the grounds of failure to exhaust internal remedies in McCann v. Building Service Employees (7), Acevedo v. Bookbinders, Local 25 (11), Johnson v. UMW (33). In Deluhery v. Marine Cooks Union (23) the court held that this provision is not absolute, but rather the courts should proceed on a case by case basis. The case was brought to court a year later (24) and the decision held that intra-union remedies need not be sought where such remedies are futile or would result in irreparable injury. The danger of the court's intervening at the first step would make all union remedies useless. Each case should be decided on its merits and only when the organization violates its rules for appeal or its futility demonstrated, should the court decide the issues. In the case of Smith v. Johnson (9) under Sec 101 (a)(2) the court also held that intra-union appeals must be made.

The court in Sanders v. Local 559, Carpenters (14) held that a member claiming nomination to office must exhaust his administrative remedies. The court held in Tomko v. Hilbert (2) coming under Sec 101 (a)(4) that the allegation of futility could only be measured by first resorting to the procedures in the union constitution. The same conclusion was reached in Harris v. ILA, Local 1291 (7). The court held that merely claiming possible long delays without even attempting to process a claim through the union is not claim enough. On appeal the court said that as long as there is some likelihood that a decision will be reached within a four month period the Act requires a member to process his complaint through the union. In Detroy v. American Guild of Variety Artists (10) the District Court also held that the plaintiff must use the four month period for intra-union remedies. The Appeals Court disagreed saying that "may be" does not mean "must" and that each agency or court should decide whether to impose the four month limitation for a member to exhaust the internal remedies. It also added an imporatnt

qualification, that if it is probable that court proceedings will be instituted after the exhaustion of remedies, then the court should decide the case in the first instance. The same decision was reached in Figueroa v. National Maritime Union (6) where the court questioned whether reasonable hearing procedures were available and whether members should have used them.

Sec 101 (a)(5) Safeguards Against Improper Disciplinary Action. -- No member of any labor organization may be fined, suspended, expelled or otherwise disciplined except for nonpayment of dues by such organization or by any officer thereof unless such member has been (A) served with specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(b) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

A number of cases have been brought before the courts by union officers who have been removed from office. In Bennett v. Hoisting Engineers (1), Hamilton v. Guinan (2), and Burton v. Packinghouse Workers Union, Local 12 (3) the courts have decided that the safeguards provided by the Act protect union members not union officers and does not cover an employer and employee relationship.

A complaint was brought before the U.S. District Court of New Jersey by former officers of a local union who allegedly were expelled from the union without being specifically charged of any offense. In Calabrese v. United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, the International revoked Local 14's charter and excluded the former local's officers from membership in the new Local 69. All former members of Local 14 were automatically admitted except the former officers. The court held that the situation involved an attempt by one faction to eliminate an opposing faction from office in violation of statutory guarantees. When the revocation is part of a scheme to discriminate against certain members, then those excluded from union benefits have been expelled without specific charges made against them. The revocation of Local 14's charter for refusal to comply with the International President's directive was legitimate. However, the United, its officers and members should refrain from directing Local 69

from excluding the former officers from membership. The court directed the local to accept them as members and accord them all rights and benefits as provided for in the union constitution. (4)

The rights of a union to discipline its officers are questions which came to court in the next three cases. In King v. Grand Lodge, IAM, six members of the union who were employed by the union as Grand Lodge Representatives were discharged. The union constitution provided that Representatives shall be appointed by the International President. It also provided that the IP would have full control and assign them to particular duties. Each year they were to receive an appointment document in effect for one year unless revoked. The six were terminated for supporting the wrong candidate for the office of General Secretary Treasurer. The U.S. District Court reasoned that there is an inextricable link between each plaintiff's status as a member and as an employee or officer of the union. By depriving a member of employment in the organization he is a member, is denying that link. The court went on to say that even if there is no link, depriving a member of employment is effective discipline. Their being disciplined for supporting a losing candidate violates the purpose of the statute which is to protect free elections. This decision was made during March 1963, two earlier decisions reached the opposite view.(5)

In Hamilton v. Guinan the plaintiff, both a member and Second Vice President of Local 100 of the Transport Workers Union was terminated from the position as officer. After a wildcat strike of the local, the Executive Board suspended him from office for his failure to properly perfrom his duties and fulfill his responsibilities as a vice president, the International Executive Council

affirming the Board's decision. The court held that Sec 101 (a)(5) applies only to discipline imposed on union members as members and not to discipline imposed on union officers for conduct as officers. The action was dismissed. (6)

The U.S. Eastern District of Michigan Court heard a complaint by an elected official whom the union refused to recognized or seat. In Kelly v. Streho, the plaintiff asked the court to seat him as port agent and to unseat Streho. The court held that this section protects the rights of union members as members and does not confer upon the federal district courts jurisdiction in which union members seek elected jobs. (7)

The U.S. Court of Appeals, Fifth Circuit (New Orleans) heard a case brought before it by a plaintiff who had been an active member of the union until 1951 when he became a general superintendent and received a withdrawal card. His claim involved a labor dispute, with the union threatening to strike if he wasn't fired. He again secured employment in another state but the union again made the demand that he be fired. The plaintiff claimed that he has lost income and has not been able to secure employment in his field without being given the right to have his case given a full and fair hearing. In Seeley v. Brotherhood of Painters the court held that an individual employed as a supervisor may remain a member of a labor organization under Sec 14 (a) of the Taft-Hartley. This right extends to nominal nonparticipation which allows them to protect their seniority and fringe benefits. In order to discipline a member who is a supervisor, the union must affect his membership insofar as it protects his seniority or fringe benefits. The court concluded that while Seeley had been punished, he had not been disciplined as a member of the Brotherhood and no claim on wh ich to grant relief. (8)

In Gross v. Kennedy, of Local 1500 Retail Food Clerks Union a union member sought a preliminary injunction requiring the union to revoke its order in removing him from his job and membership. The U.S. District Court Southern District of New York held that even though the disciplinary procedure followed by the union was in violation of the union constitution and bylaws as well as Sec 101 (a)(5) which provides safeguards against improper disciplinary action. The court ruled Gross was not entitled to a preliminary injunction. The court reasoned that since the employer no longer wished to employ the plaintiff, it would not do the vain act of instructing the union to revoke the order which removed the plaintiff from his job.

Parks v. IBEW involved the International President's revocation of Local 28's charter and granting its jurisdiction to Local 24, chartered immediately after Local 28's had been revoked. The revoking of the charter was done on the grounds that the local had engaged in a strike without the International President's approval. The plaintiffs claimed that the strike did not need approval and if it was true that it had violated the constitution then a fair hearing should have taken place before the revocation. The union contended that the IP was angered by the Local's defying his wishes in connection with the collective bargaining agreement. The U.S. District Court of Maryland decided that the revocation of the charter without a fair hearing and in view of the surrounding circumstances was a breach of the contract between the local and the international. The revocation was unreasonable and unjust discipline and punishment of the members of Local 28. The court ordered the IBEW to revoke the charter of local 24. (10) The case was reviewed by the U.S. District Court of Appeals, Fourth Circuit, (Richmond). The Appeals Court reversed the District Court's decision holding that courts should not step in in order to achieve immediate objectives, even though it may be desirable to

to establish a rule that locals may with impunity defy their parent unions and strike at will. By establishing ad hoc standards in the pursuit of democracy in union government, the courts will succeed in introducing chaos, not democracy. On the argument that the IP was both prosecutor and judge, the court held that the separation of functions is not an absolute due process prerequisite to fair administrative proceedings. (11)

The question of the court's jurisdiction to review the union trial's findings were decided in the following three cases. In Phillips v. Teamsters, Local 560 the plaintiffs asked the court to review the evidence presented before Joint Council 73, to determine if it was sufficient to support the findings and penalties imposed. The U.S. District Court of New Jersey held that in determining whether a member was afforded a fair hearing, a court is not authorized to weigh the evidence presented or to substitute its judgment for that of the union body. It further held that the power of a union local to adopt a constitution and bylaws and to provide for disciplinary proceedings for its members existed before the Landrum-Griffin. (12)

In Robinson v. Boilermakers, Local 104 the union member sought an injunction against the continuance of disciplinary measures imposed by the union. Robinson asserted that he was not granted a full and fair hearing. He contended that the evidence introduced did not sustain the findings and conclusion. In deciding his case the U.S. District Court, Western District of Washington held that he was present at his hearing before the trial body, was represented by a fellow union members, was confronted by withesses and called witnesses in his defense, consequently he was not entitled to relief. Further the rulings of the trial body were within its discretion and not prejudicial to the plaintiff and neither was fraudulent, arbitrary or capricious. (13)

The U.S. District Court of Connecticut looked at the record and held that the charge of wilfully and fraudulently submitting false pay and expense claims was not supported by the facts. In Vars v. Boilermakers the union removed the plaintiff as union president charging him with circulating false and erroneous information, fraudulently submitting false pay and expense claims. Vars contended that he received notice of the hearing fourteen (14) not the required fifteen (15) days. On this the court ruled that since the notice was mailed seventeen (17) days before the trial, it satisfied the requirement. The court reinstated Vars as a union member. (14) The case was appealed before the U.S. Court of Appeals, Second Circuit (New York). It held that although the courts may be without power to review matters of credibility or weighing the evidence, the court is justified in insuring that the union's findings have some foundation of evidence. A union hearing examiner is not independent from union controversies. The Appeals Court held the evidence before the union hearing provided no basis for his expulsion, therefore violating his rights. (15)

The case of Rekant v. Shocktay, Gasos Union Local 446 of Amalgamated Meat Cutters and Butcher Workmen involved a work sharing resolution passed to help provide work for the plaintiff which was later rescinded. The kosher slaughterers with whom the plaintiff was to share work felt that since he failed to appear punctually and was otherwise unable to perform the work satisfactorily, a resolution should be passed by the membership rescinding the original work sharing resolution. He was not given written charges or time to prepare his defense. The court held that this was disciplinary action and he was denied due process. The court ruled that the plaintiff was entitled to an injunction reinstating the status quo as existed prior to rescinding the resolution to share work. (16) The case was appealed, the court holding that the rescinding

resolution did not close the door to employment which previously was opened. Rekant had by either refusing to take work offered to him or by failing to perform satisfactorily when he was on the job, had alienated his employers and fellow workers. The appeal's court reversed the lower court and held that the action was not within the scope of the Act. (17)

The U.S. District Court of Southern California held that a union disciplining a member by having the employer suspend him from employment for a five (5) day period was not within the meaning of the Landrum-Griffin Act. In Beauchamp v. Weeks, Local 761, United Association of Journeymen and Apprentices of Plumbing and Pipe Fitting Industry the court held that the conduct alleged constituted an unfair labor practice within Sec 8 of the Labor-Management Relations Act. (18)

In Sordillo v. Sheet Metal Workers the union member requested an injunction against the union suspending him. The U.S. District Court of Mass. found reasonable cause to believe that the plaintiff was exercising his right as a union member in questioning union officials with respect to their salaries and was the cause for charges made against him. The court also found reason to believe that the trial was not fairly conducted and that he was denied a full and fair hearing. The court ordered a preliminary injunction restraining the union from enforcing his suspension and discriminating against him in the allocation of jobs. It directed the union to display the hiring list used to allocate job opportunities. (19)

The U.S District Court, Eastern District of Pennsylvania decided that a complaint was inadequate which gave no claim that the member's rights had been violated. It granted time for a more definite statement to be presented. (20) Several months later the amended complaint came to court. In Krulikowsky v. Carpenters, the plaintiff was expelled from the union by the Trial Committee of the District Council of Philadelphia on June 1959. The IP overruled its decision and placed him on probation for five years. ~~probation~~, prohibiting him from

serving as an officer, delegate or committeeman. On April 28, 1960 the District Council amended the IP's order to include a prohibition against the plaintiff's attendance at any meetings of the local during his five year probationary period. The court held that the original expulsion from the union was not subject to any of the requirements of the Act. A new disciplinary penalty is, however, the imposition of an additional punishment and is subject to the Act. Since the additional penalty was imposed after the statute became effective, it was subject to the section granting the court jurisdiction. (21)

The U.S. District Court Eastern District of Pennsylvania Court held that the failure of union orchestra leaders to exhaust internal remedies did not bar their action under Title I for an injunction against the union for imposing discipline and economic sanctions. In Orchestra Leaders v. Musical Society, Local 77 the court held that it appeared that the economic sanctions were not the result of any appealable union proceeding or subject to any procedures for relief under the union constitution or bylaws. (22)

A procedural question was ruled on in Rinker v. Local 24, Lithographers. An expelled union member sought relief against the union, the company and against all the defendants for restoration of back pay and punitive damages. The U.S. Court of Appeals, Third Circuit (Philadelphia) held that the appeal was dismissed because it was not entered in accordance with the provisions of Rule 54(b) of the Federal Rules of Civil Procedure which states "'when more than one claim for relief is presented in an action . . . or when multiple parties are involved, the court may direct the entry of a final judgment as to the one or more but fewer than all of the claims or parties only upon an express determination that there is no just reason for delay and upon an express direction for the entry of the judgment.'" Since an order which is not fully dispositive of a case, or which is not entered in conformity with Rule 54(b) is not final and

and generally not appealable. (23)

The union had charged a member with falsifying his application for membership by answering "no" to the questions "Are you a Communist" "Are you in sympathy with communistic philosophy." He was found not guilty. A year later he was charged with "acting contrary to the interests of the union." In Anderson v. Brotherhood of Carpenters the union member complained that he had not received a full and fair hearing. The U.S. District Court of Minnesota agreed on the grounds that he was not confronted by his accusers and was not permitted to cross-examine his accusers and adverse witnesses. The court concluded that he was entitled to immediate reinstatement to membership and restrained the union from interferring with his rights to membership, including the right to run for office in Local 7. The court, however, allowed the union to hold another hearing in accordance to the constitution and bylaws and Sec 101 (a)(5). (25)

Conclusions on Sec 101 (a)(5)

The courts are divided as to whether union officers are or are not protected under the Act. In Mamula v. Steelworkers 101 (a)(1) (20) and the cases arising under Sec 101 (a)(5) - (1)(2)(3)(6) and (7) the court held it had no jurisdiction. In King v. Grand Lodge IAM the court held that the union had no right to discipline union officers by depriving them employment.(5) The same decision was reached in Moschetta v. Cross Sec 101 (a)(2). (4) The court did hold that officers who were not members of the union were not protected. (5)

The court is reluctant to interfere with the internal affairs of the union as decided in Parks v. IBEW (11) and Rekant v. Shocktay (17). This is also true with respect to reviewing a union trial's findings (12) and (13). The exception was stated with the court's saying in Vars v. Boilermakers (15) that the court is justified in insuring that the union's findings have some foundation of evidence and held that the evidence provided no basis for his expulsion. Vars was also a union officer and the court in the first instance assumed jurisdiction.

Civil Enforcement

Sec. 102. Any person whose rights secured by the provisions of this title have been infringed by any violation of this title may bring a civil action in a district court of the United States for such relief (including injunctions) as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

The U. S. District Court of Mass. claimed jurisdiction over a complaint of a union member who alleged he was unlawfully expelled from the union on grounds other than failure to pay dues or initiation fees. The court held that the action did not involve an unfair labor practice under the Labor-Management Relations Act which would be within the exclusive jurisdiction of the National Labor Relations Board, since there was no allegation of interference with the expelled member's employment. In Leonard v. M.I.T. Employee's Union the plaintiff was expelled on charges of distributing printed material which was alleged to have been a legitimate expression of views on a controversial matter of union business. Other members who claimed that if they engaged in the same action they might also be expelled were told by the court that these injuries and remote or hypothetical. (1)

In Robertson v. Banana Handler's Union Local 1800 the U.S. District Eastern District of Louisiana held that expelled union members may not maintain an action against the union for reinstatement and damages where the expulsion occurred before the effective date of the Act. (2)

Bringing his complaint under Sec 102, the plaintiff in Lucas v. Kenny sought to collect $12,288.28, an amount alleged to be due him as a result of failing to receive job assignments. He brought the action against Kenny and Rust as individuals and against Kenny as President of District council of Carpenters. The U.S. District Court, Northern District of Illinois held that the complaint charging the defendant with violating their obligation to secure and assign work is a subject unrelated to the guarantee provided in the Bill of Rights. The case is one of contract law.

In Jackson v. Martin Co. and Local Union 738, UAW a former union

committeeman took action against the union and employer for the restoration to his job and to his office of committeeman. He had been removed from office with loss of superseniority and subsequently laid off from work. The U.S. District Court, District of Maryland held that it did not have jurisdiction under Sec 102 since it enforces those rights in Sec 101 to 105 and 609 all of which deal with rights of union members as members rather than officers of the union. (3)

The U.S. Court of Appeals, Ninth Circuit (San Francisco) held that the Federal District Court had jurisdiction under Sec 102 of an action by an expelled member against the union for damages and reinstatement to membership. The member was expelled as a result of his demand for the publication of the audit report indicating embezzlement by a union officer. The union and officers conspired to expel him in violation of the rights guaranteed by Sec 101. The court reasoned in Addison v. Grand Lodge IAM that the failure to state a cause of action calls for a judgment on the merits and not for a dismissal for want of jurisdiction. The court reversed the judgment of dismissal.

In Lodge 42 v. Boilermakers a procedural question was decided. The U.S. Court of Appeals Sixth Circuit (Cincinnati) questioned the bringing of the case to the Middle District Court of Tennessee. Neitherof the defendants has its principal office in that district and neither is alleged to have done anything there. The court held that under the venue provisions of Sec 102, venue was not properly laid in the district where the complaint was filed. (8)

In Grasso v. Phillip of United Papermakers the U. S. District Court, Southern District of New York held that a state court action brought by an individual against the union challenging the validity of the election is not removable to the federal court. It held that jurisdiction of the federal court is conferred only by the Secretary of Labor finding probable cause to believe that a violation occurred. (6)

Title V Fiduciary responsiblity of officers of
Labor Organizations

Strauss v. Inter'l Bd of Teamsters, Local 596, U.S Distrtic Court, Eastern Dist of Penn. 45 LRRM 2349, Dec. 1959.

Action by union business agent against union and union officers for equitable relief including reinstatement of business agent following his discharge in accordance with union's interpretation of LMRDA to require his discharge and for declaritory judgment as to meaning of word imprisonment. Strauss was released from E. Pa prison 1949, parole ended 1956. Question of definition of imprisonment. Federal court held it does not have jurisdiction under Sec 102 of union business agent's action against union for wrongful discharge. Sec 101 deals with the membership in general and their relationship as members with their union. Sec 101(a)(5) court interpreted as breach of employment contract. Sec 501 his contract right is enforcable, if at all, in the common law courts of the state.

Highway Truck Drivers, Local 107 v. Cohen, 182 Fed Supp. 608 US Dist Ct. East. Dist. of Penn. Mar 1960
Sec 501 (a) & (b)

Union members brought suit against union officials who had allegedly conspired to cheat and defraud union of large sums of money, and against union to enforce fiduciary responsiblities of union officials. Dist. Ct. held th t union could not pay for legal fees of union officials in defense of criminal and civil actions brought against union officals for alledged conspiracy to cheat and defraud union of money, though majority vote at regular union meeting authorized such expenditures. Plaintiffs ordered to amend their complaint to state specific acts of misconduct in violation of Sec 501 which occurred subsequent to Sept. 1959 and which the union failed to correct.

Highway Truck Drivers v. Cohen, U.S. Ct of Appeals, Third Circuit, Philadelphia Nov. 2, 1960 amended Dec. 14, 1960 47 LRRM 2040

Appeal from U.S. Dist. Ct. affirmed.

Highway Truck Drivers v. Cohen. U.S. Dist. Court East Dist of Penn, June 1963
53 LRRM 2782

Sec 401 permits duly established representative of a minority of a union to enforce rights of the union as a whole despite the wishes of the majority. It has been determined that money is owed by employees to the employer. There is no execution involved here. This is merely an injunction in aid of collection based upon the right of a judgment creditor to set off claims owed it by the judgment debtor. This court must secure and protect the benefits of the L-G by fashioning suitable law in accrodance with the intent of Congress. Since Collection of the judgment of $24,921.41 is what is sought, defendant-intervenor will be allowed to accept a bond with surety sufficient to secure secure payment of judgment, interest and costs by defedants. A bond of $30,000 approved by this court will be deemed sufficent to secure the payment of judgment, interest and costs.

Serio v. Liss, Local 478, IBT, U.S. Dist Court, Dist of N.J. Dec 1960, LRRM 2225
Sec. 504(a)(2)

This section bars persons convicted of crimes from holding union office for a 5 year period. It is illegal for previously convicted individual to hold office within 5 years of end of his parole, even though his prison confinement ended more than 5 years ago. Action by Sec. of Labor upheld.

Penuelas v. Moreno, U.S. Dist Court, Southern Dist. of Cal. Sept. 1961, 48 LRRM 3005
Sec. 501 (b)

Sec 501 which authorizes suit in federal district court by union members against union or officers for breach of fiduciary duty upon leave of court for good cause shown requires that union members exhaust internal union remedies as condition to federal court jurisdiction. Sec 501 (b) which authorizes union members to bring suit in federal district court against union or officers alleged to have violated fiduciary duties, where such union or officers refuse or fail to sue or recover damages or secure accounting or other appropriate relief after being requested to do so, requires that union member bringing action first demand that union or officers take court action to secure such relief. Judgment and the action be dismissed without prejudice.

Serio v. Liss, Local 478 IBT, U.S. Ct of Appeals, Third Circuit (Philadelphia)
Nov. 1961 49 LRRM 2119

Federal dist. court properly asserted jurisdiction over union officer's action for declaratory judgment that he is entitled to retain his office, where underlying issue concerns meaning of term imprisonment as used in Sec 504 which bars persons convicted of certain crimes from holding union office for 5 yr period after end of imprisonment. Although officer's claim is derived from state law, it challenges application of Sec 504 which establishes a national policy deemed important by Congress. Union officer is not entitled to recover from union for his removal from office, where removal was pursuant to opinion that he was disqualified from holding office because leass than five years had expired since he was relieved of parole in connection with his conviction of crime listed in Sec 504 which bars persons convicted of such crimes from holding union office for 5 years after the end of imprisonment, it appearing that both federal law and applicable state law would include parole as part of imprisonment. Affirmed.

Moschetta v. Cross, U.S. Dist. Court, Dist. of Columbia, July 1961, 48 LRRM 2608
Sec 501

Sec 501 prohibits union from furnishing or paying counsel to defend individual officers in suit charging officers with breach of fiduciary duty. Motion by a union for an order permitting it to provide and pay for legal counsel for its officers who are defendants in a suit. Motion denied.

U.S. v. Haverlick, U.S. Dist. Ct. North Dist of N.Y., June 1961, 49 LRRM 2006.
Sec. 501(c)

Sec 501(c) which makes it a criminal offense for any union officer to steal or convert to his own use any moneys or property of the union, is constitutional as a proper exercise of commerce power of Congress in that the statute bears a reasonable relation to collective bargaining in matters affecting interetate commerce. Sec 501(c) is not unconstitutional either as an illegal interference with internal affairs of a union or as an unlawful intrusion upon the rights reserved to states. Motion to dismiss indictment denied.

U.S. v. Decker, U.S. Court of Appeals, Sixth Circuit (Cincinnati) June 1962
50 LRRM 2609
Sec 501 (c)

Decker was President and Chief Business Agent of Local 86 of Teamsters Union in Louisville Kentucky. Decker and Guinn, Sec-Treas were convicted of embezzlement. Sec 501 (c) which makes it a crime for union officers and employees to embezzle or steal funds of union, is not unconstituional as an improper delegation of power to federal courts which is unwarranted under Art. III of federal constituion. We find nothing in the Constituion which would forbid Congress from protecting the rights of members of such union against the kind of thievery invlved here. Affirmed.

Forline v. Marble Polishers, Local 42, U.S. Dist. Court, Eastern Dist of Penn.
Dec 1962, 51 LRRM 2639

Trusteeship, Fiduciary 501(b), 104, 101

1. Defendants claim plaintiffs failed to exhaust internal remedies in Constitution and By-laws and Sec 101(a)(4). It should place before the court facts establishing that union remedies are available to the plaintiff and that the plaintiff has neglected to use them, by means of exhibits, affidavits, depositions, etc. Defendents have placed no facts in the record, they have just attached to their brief what purports to be a copy of the union constitution. The union constituuion has not been made part of the record, but even if it had, that document in and of itself, falls short of establishing that plaintiffs have failed to take advantage of available, reasonable union procedures. Failure to dismiss on this ground denied but the denial will be without prejudice to a renewal of the motion if and when a proper factual foundation has been laid.

2. Filing complaint with Sec. of Labor is not prerequisite to union members' bringing civil action under LMRDA for relief against allegedly improper trusteeship over local union.

3. Sec 501(b) which gives union members right to bring actions to correct abuses in handling of union funds, does not give union members right to obtain information regarding status of welfare funds. Such infromation may be obtained under Welfare and Pension Plans Disclosure Act in procedding against fund administration or trustee.

4. Requirement of Sec 104 by L-G that labor union supply copies of collective

bargaining agreements upon members' request is enforceable in civil action by members. Provision for action by Sec. of Labor is supplemental remedy, not exclusive remedy. Sec 210 gives the Sec. of Labor the power to enforce those requirements by court proceedings. Sec 104 deals with infromation required to be furnished to union members. Vesting in such members a private right to enforce that requirement is in no way incompatible with, and indeed, is supplemented by the existence of a similar right in the Sec.

5. In contrast to the express requirements of Sec 104 that a labor union supply copies of labor agreements upon request to its members, there is no similar provision covering union constitution whether members are excused from requirement that they resort to union remedies before bringing action alleging other violations of L-G.

6. Union members' action under L-G alleging improper discipline in union's refusal to accept their dues does not state unfair labor practice subject to exclusive jurisdiction of NLRB, it appearing that union's refusal of dues tender was because amount was less than required under dues increase and that members actually are challenging validity of increases. However, action is within exclusive jurisdiction of NLRB insofar as it claimed that union is causing employers to refuse to hire members. Motion to dismiss union members action granted in part.

Holdeman v. Sheldon, U.S. Dist. Court, Southern Dist. of New York, May 1962. 51 LRRM 2758
Sec 501(a)

Holdeman, Pres. of Local 88 of Masters, Mates and Pilots of Amer. on behalf of the union against defendants, officers of Local 88 for certain alleged unlawful acts as officers of the union. The claims against these defendants arise out of issuance of certain checks expending the funds of the union. The question of whether Local 88 can intervene or supply counsel to defednats in this case presents serious questions involving the interpretation of Sec 501(b). Plaintiff maintains that in Highway Truck Drivers the union is not entitled to furnish counsel to defendants. Defendants contend the union request the right to intervene since it contends that its cause is common with that of defendants.

This court cannot adequately determine whether there is any merit in the distinction

based upon the intervention until it has determined whether the interests of the individual defendants is in conflict with the union. The evils which Sec 501 was designed to cure would often continue unchecked if a union officals was to be permitted to use the power of the union to protect himself whenever he is accused of a wrongful act.

This court is of the opinion that procedural device of intervention which the union seeks to employ should not be granted if the charges alleged in the complaint demonstrate that the interest of the union are inconflict with those of the defendant. It appears there could be conflict with the defendants.

Intervenors have contended that Holdeman had no right to bring this suit since he has not exhausted his remedies within the union. Sec 501(b)'s language sets forth the conditions precedent for instituing this type of suit without the necessity of exhausting remedies available within the union. Concept of exhausting internal remedies was knwoingly omitted. The motion of the plaintiff for a preliminary injunction is granted and the motion for an order premitting Local 88 to intervene is denied.

Holdeman v. Sheldon, U.S. Court of Appeals, Second Circuit, New York, Dec 1962, 51 LRRM 2764

In action by union president against union officers for alleged violations of Sec 501(a) arising out of issuance of checks expending union funds, the president is entitled to temporary injunction restraining officers from using union counsel to defned them, and union is not entitled to intervene and file common answer with officers.

We specifically not approval of the court's suggestion that the district court should determine whether the conduct of the defendants is in conflict with the interests of the union. This in combination with a policy of permitting a union to reimburse a defendant if he is successful in his defense or perhaps even where his actions were based on a reasonable judgment as to appropriate procedures and do not evidence bad faith, should provide sufficient financial protection of union officials against nuisance suits. Affirmed.

Wirtz v. Local 502, Hod Carriers, U.S. Dist. Ct., Dist of N.J., Nov. 1962, 52 LRRM 2133
Sec 501 (a)(b)

Secretary of Labor sought books of Local 502. The respondents claim to have no objection to any examination of the books and records but wish to have a member of their union present at all times during inspection. They further claim that the surrendering of the books and records involved puts them in the position of not being able to conduct their business activities and would therefore greatly hinder their functioning.

Secretary of Labor, in furtherance of investigation to determine whether there has been a violation of L-G, has the right to inspect and retain for a period of 30 days a union's original books and records requested under administrative subpoena duces tecum, as against union's contention that such retention of its books and records puts it in position of not being able to conduct its business activities and would therefore greatly hinder its functioning. Subpoena enforced.

Nelson v. Johnson, U.S. Dist. Ct., District of Minnesota, Jan 11, 1963, 52 LRRM 2047
Sec 501(a)

This is an action by 8 members of Local 380 of Brotherhood of Painters, Decorators and Paperhangers. Petitioners claim that Respondents have refused to sign checks in payment of certain bills which have been approved by the membership of the union namely a $3,475 claim for reimbursement for fees for services paid to attorneys in first federal court action. On May 1960, a group of dissatisfied members decided to nominate a slate of officers to oppose the incumbent local union officers. At the May meeting the President preferred charges against twelve union members most of them opposition candidates. On Dec. 1960 petitioners brought an action charging respondents with violations of Sec 101(a)(2) & (5). Petitioners incurred attorneys' costs of $3,475 and other expenses of $262.44. The membership approved the payment of these fees. The Pres of the International union said that the petitioners' bills and expenses were individual indebtedness of these members and should not be paid by the local union.

Sec 501 attempts to define in the broadest terms possible the duty which the new federal law imposes upon a union official. Congress made no attempt to codify the law in this area. It appears evident to us that they intended the federal courts to fashion

Third Installment.

I've decided to stop and write up preliminary conclusions after every sub-section. These you will also receive.

Fu

(Continuation of page 11)

Other cases involving the employment relationship were decided. In Johnson v. UMW, District 50 employee sought an injunction against the union and the employer to prevent them from paying out severance benefits to some, but not all, of the employer's workers. The court decided that it did not have jurisdiction of action absent a showing of an exhaustion of remedies within the union.(33)

A case came before the U.S. District Court, Southern District of New York, where a member asked to be reinstated to his prior union status and to his regular job. In Cafero v. Typographical Union, the plaintiff based his action on the theory that the union regulations affected the employee's priority status and caused him to lose his job in violation of the Act. The court held that his case was devoid of facts and did not sufficiently allege a violation of the Act by the union. The Act deals only with the relationship between a union and its members. The case dismissed. (34)

Moynahan v. Pari-Mutuel Employees Guild involved an individual who was eligible and applied for membership in the union but was not accepted. The Southern District Court of California held he had no cause of action against the union under the Landrum-Griffin since the Act grants rights to union members. (35)

PAGINATION INCORRECT

Sec 101 (a)(2) Freedom of Speech and Assembly. -- Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: Provided, that nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

This section grants specific rights to members, however the limits of these rights are determined by the cases coming to the courts. The scope of such rights was determined in one such case Salzhandler v. Caputo. In this case Salzhandler prepared and distributed an leaflet untruthfully attacking Webman, the President and business agent of a local, of the crime of larceny. Caputo, President of District Council 9, appointed a Trial Board to hear the charges against Salzhandler who received proper notice and a fair hearing. The Trial Committee found him guilty, removed him as Financial Secretary and prohibited him from attending meetings, voting or being a candidate for office for five years. His rights and obligations as a member were continued in other respects. He filed an appeal with the General Executive Board. The Southern District Court of New York held that the limitation in Sec 101 (a)(1) & (2) make the equal rights provision subject to reasonable rules and regulations in the Union Constitution and Bylaws and provide that nothing in the freedom of speech and assembly provisions should be interpreted to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution. The attack which was circulated was in violation of the Union Constitution forbidding libeling, slandering or in any other manner abusing fellow members or officers of local unions unless its truth was established. The court recommended that he exhaust his internal union remedies and denied a preliminary injunction. (1)

The New York Court of Appeals rendered a decision on the case during April 1963. It held that the Landrum-Griffin was designed to protect the rights of union members to freely discuss and criticize the management of their unions and the conduct of their officers. "The Trial Board in the instant case consisted of union officials, not judges. It was a group to which the delicate problems of truth and falsehood, privilege and fair comment were not familiar." The court continued by saying that it is immaterial whether Salzhandler spoke truthfully or not. Although libelous statements may be the basis of a civil suit, the union may not subject a member to any disciplinary action on a finding that such statements are libelous. The Court of Appeals reversed the decision of the lower court. (2)

A series of cases came before the District of Columbia Court involving the rig hts of members of the Bakery and Confectionery Workers Union. In Alvino v. Bakery Workers Union members and officers supported a campaign to oust the Union President, as a result they were suspended and removed from their positions and offices in the union. The District of Columbia Court issued a preliminary injunction requiring the International Union to restore the status quo, deciding that the activities these individuals engaged in were protected against reprisals by the statute. (3) The court decided in Moschetta v. Cross on August 1960 that the disciplined union officers and members who supported a campaign to oust the Union President were being violated their rights under the Act. (4) In another case involving Moschetta v. Cross decided July 1961, the court held that the discharge of the Executive Assistant to the President of the Bakery and Confectionary Union because he supported and assisted in prosecution of action against the union is entitled to reinstatement with back pay. The court made this award because of his union membership. The discharge of the Public Relations Director was not deemed a violation of the Act because he was not a member of the union. (5) In the fourth case decided Jan. 1962,

Moschetta and others were founders and officers of the Local Union Reunification Committee (LURC), an organization formed in 1959 by local unions of the International Union. At a special convention in 1958, following its expulsion from the AFL-CIO on grounds of alleged corruption on the part of President Cross, BCW adopted a resolution calling for reunification of BCW with the American Bakery and Confectionery Workers International Union. The organization LURC called upon President Cross to resign, the only hold back to reunification. The court held that the existence and activities of LURC were protected by Sec 101 (a)(2), 101 (b), 501 and 609, therefore denying a preliminary injunction. The union argued before the court that the Constitution of BCW makes no provision for the organization of members formed to achieve intra-union political objectives. (6)

Members of the ILA claimed a denial of their rights, particularly the right to express their views, arguments and opinions on union business. In Harris v. ILA the court relied on the union's Constitution which provides that no member "shall institute any civil action, suit or proceeding in any court against the ILA, any of its local unions . . . or any officer. . .of any of its local unions on account of any controversy for which a remedy by trial or appeal is provided for in the Constitution, unless and until he has first exhausted all such remedies of trial and appeal." A union member alleged that he made a motion at a union meeting which was seconded but not voted on. The court held that he or any other member could have appealed in writing to the whole membership for the failure to vote on the motion and if the appeal were denied the next step would be to the Executive Council as provided for in the Constitution. The court commented that due to the confusion at the meeting in the past might account for the motion not being voted on. The preliminary injunction was denied, but the complaint could be renewed at any time. (7)

A motion to review was brought before the court July 1962. Harris' case centered on a threat alleged to have been made at a meeting held May 15 and an aura of unfairness and violence permeating the meeting, made it impossible for motions to be placed on the floor in a manner that the membership might vote on them without fear of intimidation and reprisal. The court found that the only specific threat of violence made at the meeting by a business agent that Harris might as well leave the waterfront if the motion passed because he was going to get rid of him so that the rest of the union wouldn't have to be worried by him any more. The business agent said he meant he would get rid of Harris as a member of the union by filing charges against him. The business agent also considered his statement a conditional resignation if the motion was passed by the membership which it wasn't. The court further rejected Harris' testimony as inconsistent and contradictory and reviewed the record which did not show that the union meetings had been unfairly conducted. The court also added the fact that the two parties used the court as a forum to justify their activities and criticize their opponents before the members present in the court. The complaint was dismissed with prejudice. (8)

Union members in Smith v. Johnson complained of impropriety at a union in connection with a vote on the matter of cashing savings bonds. The Eastern District Court of Louisiana decided that the members were not entitled to relief under the Landrum-Griffin Act. The union members failed to take proper action at the meeting to correct the impropriety they complained of and failed to appeal in accordance with the union constitution and bylaws. (9)

A case involving free speech at a local union meeting was decided by a District Court of Minnesota in Stark v. Twin City Carpenters. Stark referred to a controversial matter at a regular meeting and was punished. The court held

that the union violated a member's free speech under Sec 101 (a)(2) by subjecting him to a union trial for slander on the basis of statements he made at the union meeting concerning activities of the business agent in his capacity as union officer and was entitled to a preliminary injunction. (10) Three months later on September 1963 the same case came before the court. The court decided that a permanent injunction should be issued against the union. It reasoned that when questions a e stifled and union democracy subverted, the honest union is in danger of becoming a corrupt union. Even though the statement was false and tended to border on slander, it is protected when the topic of conversation relates to union affairs. Trials for slander cannot be used to unfairly silence those who would attempt to unseat the incumbent in power or question their conduct as union officers, or both. Unions will not be allowed, subject to what was said earlier, to coerce so called malcontents into silence with slander trials. It would not be long before everyone who disagreed with the incumbents would be silenced by heavy fines or other punishment. Sec 101 (a)(2) left the unions with procedural power to govern its meetings and not be kept in session all night by one side or the other. (11)

Another case, U.S. v. Roganovich, arose out of a member's denial of speech at a union meeting. Roganovich and Santangelo were indicted as having unlawfully and wilfully through force and violence restrained, coerced and intimidated a member to interfere with and prevented the exercise of his rights to express his views under union bulsiness then under discussion. The case went to court and Roganovich and Santangelo were found guilty, sentenced to one year and fined $100. Their jail sentences were suspended and they were placed on a year's probation. In the case before the Court of Appeals, Seventh Circuit (Chicago) these members claimed that Sec 101 (a)(2) and 530 was intended to

legislate only within the area of union-member relationships and not within member-member relationships. The court decided that Sec 101 (a)(2) gives every member a right. . . to express his views respecting any business properly before the meeting. Sec 530 invokes criminal sanctions against any person not merely against union officers or agents. It held that criminal sanctions were contained in the Act which made it unlawful for any person to interfere or attempt to interfere, by force, with the exercise of a union member's rights under the Act. This decision affirmed the lower court. (12) bg ?

The Graham v. Soloner decision held that union members' right of free speech and assembly is not limited to freedom of expression among union members themselves, but encompasses such public expressions of opinion as picketing union offices with signs critical of union officers. The case involved members who were suspended from membership and fined for picketing union offices, addressing appeals from elections to the International Union and to the Secretary of Labor. They also refused to pay fines imposed for failing to attend union members. The court held thzt the suspension for picketing and appeals from the election was in violation of Sec 101 (a)(2). Althought the rule requiring a fine for failure to attend meetings is reasonable and proper their over-all conduct was not such as to support suspension thereby granting a preliminary injunction. (13)

In Johnson v. Local 58, IBEW members sought an injunction restraining the union and their agents from attending any meetings or discriminating against them in their job rights. The union sought to dismiss the action on the grounds that the plaintiffs had been petitioning the IBEW for a local charter for Oakland County and had disturbed meetings and threatened officers. The union questioned the constitutionality of the Act's regulation of internal affairs to which the court answered that the activities and relationships regulated have a substantial effect on interstate commerce. On the member's claim of fearing discrimination in their job rights, the court held that the threatened retaliation by job discrimination interferes just as interference with the right to assemble, threat of physical

violence or any other method of interference. On the question of exhaustion of remedies the court held that in view of the multiple appellate agencies, infrequent meetings and the absence of time limits for decision in the Constitution the plaintiffs were justified in not seeking the internal remedies. The court refused to dismiss the case except over the class of plaintiffs who were not members of any labor organization. (14)

4/2/69

High Court Decides Unions May Penalize Members Who Exceed Production Quotas

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — The Supreme Court decided that labor unions may fine members who exceed daily production ceilings fixed in union rules.

The decision was the latest of several in which the High Court has upheld the legality of union rules governing members' job conduct and thus narrowed the meaning of the law forbidding unions to "restrain or coerce" their members.

The broadening scope of such regulations, unilaterally adopted by a union, and their affirmation by the Justices may well heighten criticism by employers who assert that unions are using such rules to accomplish what normally is a collective bargaining matter.

In other actions, the Supreme Court:

—Rebuffed a group of major book publishers and wholesalers on a key procedural issue in triple-damage antitrust suits brought against them by more than 35 states and cities. The High Court's action will assist the states and cities in their cases involving purchases of library editions of children's books by giving them access to certain Federal grand jury documents.

—Declined to rule on the Constitutionality of state laws barring public-employe strikes, and thus left standing union convictions stemming from the New York City garbage strike last year.

— And held that a stevedoring company whose employe was killed while loading a ship and which made payments to the workers' survivors under the Longshoremen's Compensation Act may seek to recover the payments from the vessel's owner.

The Labor Cases

The labor controversy centers on two provisions of the National Labor Relations Act. One guarantees to workers the right to both join a union and engage in its activities. It also guarantees the right to refrain from such activities. The other provision says unions can't "restrain or coerce" employes who want to refrain. But it also says the National Labor Relations Board, in enforcing the ban on union coercion of employes, can't interfere with a union's right "to prescribe its own rules with respect to . . . membership."

The Supreme Court has refused in its decision to interpret literally the ban on restraint or coercion by unions. Rather, it has attempted to balance the legal rights of individual workers with those of unions by rejecting challenges of union rules to discipline members, that is provided the rules are adopted by a union majority and don't conflict with any overriding Federal law.

effort to restrain or coerce the workers and an appeals court upheld the board. The workers went to the Supreme Court.

Justice White, writing the Court's opinion in the 7-to-1 decision, said the Court is following a "dual approach" in judging internal union rules providing for fining dissenting members. Noting that the Court has struck down union rules curtailing members' access to the NLRB, Mr. White said that the dual approach, on the other hand, "leaves a union free to enforce a properly adopted rule which reflects a legitimate union interest, impairs no policy Congress has imbedded in the labor laws and is reasonably enforced against union members."

Mr. White suggested that a rule wouldn't be acceptable if it represented the "arbitrary fiat of a union officer" or were enforced through violence. Otherwise, he said, unions are free to adopt "reasonable" rules that don't conflict with some overriding Federal labor policy.

Justice White said the UAW rule reflected a legitimate union interest. Unions, he asserted, rightly are suspicious of piecework pay systems that can generate competitive pressures among workers. Such pressures, he said, can "endanger workers' health, foment jealousies" and ultimately reduce the number of employes a company requires. If ambitious workers are frustrated by union ceilings on production, they are free to "leave the union," he declared. He didn't touch on the consequences of leaving, however. At many plants, union membership is a requirement for continued employment.

The White opinion acknowledged that a major argument against union rules concerning piecework production rates is that they impede collective bargaining. He rejected the argument, however, at least as applied to the Wisconsin Motor case. Justice White asserted that the ceiling rate, though fixed by the union, was indirectly involved in union-management negotiations on the machine rate. Moreover, he said that Wisconsin Motor acquiesced to the union rule to the extent of making available to the union records of workers' production rates and of failing to demand in bargaining that the union abandon the rule.

The opinion, however, is unlikely to quiet employers and other critics who claim that unions increasingly are using their rule-making power to, in the words of one academic labor expert, "unilaterally establish terms and conditions of employment without bargaining collectively with the employer." According to this expert, the High Court's 1967 ruling upholding a union's power to fine a member for crossing a picket line encouraged extension of such rules.

Justice Marshal didn't participate in the

between Federal Marine Terminals Inc. and Burnside Shipping Co. Employes of Federal Marine, a stevedoring company, were working on a vessel owned by Burnside and docked at Detroit. One of the men fell into a tank aboard the ship and was killed. His survivors were awarded weekly compensation under the Longshoremen's Compensation Act, to be paid by Federal Marine. The total payments could amount to $70,000.

Under the act, survivors needn't prove negligence to collect compensation. Federal Marine in the litigation thus wasn't contesting its duty to make the payments but asserted that, where a stevedoring company wasn't at fault and a shipowner was negligent, the shipowner has an implied obligation to reimburse the stevedoring company.

A lower court rejected Federal Marine's argument. The Supreme Court reversed the lower court and remanded the case to a Federal district court for trial on the merits.

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The Supreme Court has refused in its decision to interpret literally the ban on restraint or coercion by unions. Rather, it has attempted to balance the legal rights of individual workers with those of unions by rejecting challenges of union rules to discipline members, that is provided the rules are adopted by a union majority and don't conflict with any overriding policy of Federal law.

Thus, the High Court in 1967 upheld a union rule providing for fining members who crossed a picket line during a strike. But the court in two other cases (1964 and 1966) ruled as illegal union regulations providing fines for members who took grievances against unions to the NLRB without exhausting internal union hearing procedures. The decisions in the latter cases were based on the Court's finding that overriding policy required free access to the NLRB.

The new decision is likely to have wider application to union practices and thus be considerably more controversial than the previous rulings.

The new case grew out of a dispute between the United Auto Workers and four members employed by Wisconsin Motor Corp., a large Milwaukee manufacturer of heavy-duty engines.

Many of the company's production employes who belong to the UAW are paid on a piecework, or incentive, basis under which they are guaranteed a basic "machine rate" of hourly pay.

The machine rate is established in the collective bargaining agreement, like any other pay rate, and is defined as the production level of an "average competent operator working at a reasonable pace." The machine rate, as a result of union bargaining, makes allowance for nonproductive time such as rest and tool-cleaning periods.

The UAW local at Wisconsin Motor for some years has had a union rule fixing a ceiling on the production of its members above the machine rate. The ceiling allows members to produce faster than required by the machine rate, but if a worker's production exceeds the quota he's subject to a fine. Originally, the rule allowed a worker to earn up to 10 cents an hour above the machine rate and more recently the ceiling has been raised to as high as 50 cents hourly.

As it stands, the union rule allows a worker to produce at greater than the ceiling rate, but he may be paid immediately only up to the ceiling rate. Any additional pay due is "banked" by the company—meaning that wages due are retained by the company and paid to the employe for days when he otherwise couldn't work because of a machine breakdown or some other reason.

If the employe demands immediate payment for his above-ceiling production, the company will comply. But then, according to the union rule, the worker is fined $1 a day for each violation of the ceiling and can be fined up to $100 for repeated violations.

In 1961, the union made a random check and found four employes had exceeded the ceiling and were paid for their excess production. The union imposed fines of $50 to $100 and, when the four refused to pay, the union sued in a state court to collect. It based its suit on state contract law. The four, in turn, filed charges against the union with the NLRB. The board decided that the union rule didn't constitute an violence. Otherwise, he said, unions are free to adopt "reasonable" rules that don't conflict with some overriding Federal labor policy.

Justice White said the UAW rule reflected a legitimate union interest. Unions, he asserted, rightly are suspicious of piecework pay systems that can generate competitive pressures among workers. Such pressures, he said, can "endanger workers' health, foment jealousies" and ultimately reduce the number of employes a company requires. If ambitious workers are frustrated by union ceilings on production, they are free to "leave the union," he declared. He didn't touch on the consequences of leaving, however. At many plants, union membership is a requirement for continued employment.

The White opinion acknowledged that a major argument against union rules concerning piecework production rates is that they impede collective bargaining. He rejected the argument, however, at least as applied to the Wisconsin Motor case. Justice White asserted that the ceiling rate, though fixed by the union, was indirectly involved in union-management negotiations on the machine rate. Moreover, he said that Wisconsin Motor acquiesced to the union rule to the extent of making available to the union records of workers' production rates and of failing to demand in bargaining that the union abandon the rule.

The opinion, however, is unlikely to quiet employers and other critics who claim that unions increasingly are using their rule-making power to, in the words of one academic labor expert, "unilaterally establish terms and conditions of employment without bargaining collectively with the employer." According to this expert, the High Court's 1967 ruling upholding a union's power to fine a member for crossing a picket line encouraged extension of such rules.

Justice Marshal didn't participate in the High Court ruling and Justice Black dissented. Mr. Black's brief dissent noted merely that he had dissented in the 1967 case.

The Book Case

The procedural issue before the Supreme Court in the treble-damage antitrust case against the book publishers and wholesalers was whether the suing states and cities can have access to secret grand jury documents.

The states and cities are claiming damages growing out of their purchases of hard-cover library editions of children's books for schools, public libraries and other such institutions.

A Federal grand jury at Chicago, in the course of a 1966 investigation of pricing of such books, subpoenaed documents from several publishers and wholesalers. No criminal indictment for price-fixing resulted. However, in 1967, the Justice Department brought separate civil antitrust suits against 18 publishers. The suits didn't allege any price-fixing among the publishers but charged each one with maintaining resale prices of the children's books with its wholesalers. The actions were settled with consent decrees.

Before the settlement, some states and cities that had filed their own damage suits sought to intervene in the Justice Department's civil cases. A Federal judge refused to allow intervention, but ordered the department to retain the secret grand jury documents. Thereafter, the states and cities asked for access to the documents and a Federal district judge approved the request.

An appeals court affirmed the district judge's decision and the Supreme Court without comment refused to review the appeals court decision.

Publishers named in the damage suits include Harper & Row Publishers Inc.; Charles Scribner's Son's; E. P. Dutton & Co.; Houghton Mifflin Co.; McGraw-Hill Inc.; and Holt, Rinehart & Winston Inc.

The Public Employes Case

The High Court also refused without comment to review the Constitutionality of state laws barring strikes by public employes. It thus left standing the convictions of the Uniformed Sanitationmen's Association and its president, John J. DeLury, for violating New York State's Taylor Act in New York City's 1968 garbage strike.

The sanitationmen didn't formally strike, but almost none of them reported for work beginning Feb. 2, 1968. The city immediately went to a state court and obtained an injunction to halt the work stoppage, and when it didn't end, the court cited the union and Mr. DeLury for contempt. It sentenced him to 30 days in jail and he served the sentence.

The state's highest court upheld the convictions, rejecting the arguments that they violated the defendants' rights to a jury trial and that the Taylor Act is unconstitutional. The Supreme Court left standing the state court decision.

The stevedoring case grew out of a dispute

Some Wrong Remedies for NLRB Delay

By JOHN E. ABODEELY

The National Labor Relations Act provides employes the right to join or not to join a labor organization and to engage in collective bargaining. Stating the policy is easy, but implementing it is fraught with difficulties. The interests of employers, employes, unions and the public must all be considered, balanced and eventually compromised. The solutions to the problems must conform to the law, be in line with justice and be acceptable to the parties. The task is difficult, but it is one that our society demands be accomplished.

The National Labor Relations Board, the agency responsible for implementing the law, must resolve the problems created by the existence of these conflicting interests. For example, when attempting to organize a group of employes, unions will utilize every available means to accomplish their objectives. Employers will not easily forfeit their unilateral-decision making powers for a system of bilateral decision making. A result of these clashes may be allegations, by both sides, of violations of the Federal labor law. The NLRB must decide whether the law has been violated and, if so, how best to remedy the situation.

Say that a union obtains a majority of authorization cards allowing it to seek an election. The employer, wishing to test the appropriateness of the unit of employes and the validity of the cards, refuses to recognize and bargain with the union. The NLRB determines the appropriate unit and orders an election. If the employer should now desire to appeal the labor board's decision, it must refuse to bargain, be found guilty of an unfair labor practice and then appeal to a Federal court. A consequence of this Congressionally imposed procedure is, in some cases, a long delay in bargaining.

Traditionally, the labor board has ordered employers—even after months and often years of delay—to bargain with the union on the basis of the authorization cards initially used to obtain an election. Recently, certain commentators have advocated the use of the so-called "make whole" remedy in addition to the bargaining order. Simply stated, the make whole remedy would require an employer to compensate all employes in the bargaining unit for wage increases they might have received had the bargaining begun immediately.

The problem is indeed serious. The solution, however, does not lie in stiffer remedies against employers. The proposed make whole remedy is not only illegal and impractical, it also aggravates the very problem it was intended to resolve. Furthermore, the use of the mandatory bargaining order as a remedy does itself create problems that should be viewed with grave concern.

The Kennedy Board

The causes of the delay in the NLRB's decision-making process must be determined before the proposed solution of stiffer remedies can be examined. Although there are many sources of this delay, much of the problem can be attributed to the board itself. In 1969 the NLRB filed 1,610 complaints against employers and 391 against unions. Undoubtedly, this increased caseload against employers was compounded by the Kennedy board's promulgation of newly invented duties, such as bargaining about decisions to subcontract, to move and to sell a plant. The result was to provide another weapon in the unions' arsenal, so that if they failed to obtain their demands in good faith collective bargaining, they could turn to the NLRB for help.

Analyzing NLRB decisions during the decade of the 1960s reveals still other board-created causes for long delays. In the areas of discrimination and arbitration, for example, the board has been presented with alternative forums for deciding the various substantive issues. Despite the Supreme Court's endorsement of the arbitration process and the expertise of agencies such as the Equal Employment Opportunity Commission, the NLRB has consistently refused to cede jurisdiction. It would seem that in institutions, as in humans, self-preservation is not an unknown characteristic.

A comparison of NLRB cases, particularly before and after the advent of the Kennedy board, reveals inconsistent decisions leading to an obvious absence of guidelines. Consequently, parties involved in the area of labor relations generally have been unable to look to board decisions as a consistent guide. Admittedly, factual distinctions in cases may require seemingly different results. These legitimate differences, however, do not absolve the board of handing down clearly written opinions in which the law is consistently applied and the facts clearly distinguished.

Congress, too, has had an active role in the imposition of delays in many refusal-to-bargain cases. Under the Wagner Act, Congress chose to deny judicial review of representation certifications until there was a finding by the NLRB of a refusal to bargain. This procedure requires an employer who wishes to contest a certification to intentionally commit a refusal-to-bargain violation.

The resultant delay is thus imposed by Congressional mandate. More specifically, the Supreme Court, in Boire v. Greyhound, noted "that this indirect method of obtaining judicial review imposes significant delays. . . . But it is equally obvious that Congress explicitly intended to impose precisely such delays." To remedy the problem by imposing stiffer remedies on the employer would certainly contravene all notions of fairness. Moreover, empowering the NLRB to compute what "might have been" the bargained-for wage gains would serve only to increase the delay and thus enhance the problem.

Some Other Problems

Aside from the delay that the imposition of the make whole remedy would potentially create, other problems should be considered.

On the one hand, collective bargaining embodies the concept of two parties seeking to determine wages, hours and working conditions in a free market. On the other hand, the make whole remedy involves the external imposition of the wages that might have been negotiated. Authorities such as Professor George Taylor have long contended that the heart of our industrial relations system is consent—consent by both parties to live and work within terms upon which they themselves agree. And in the words of NLRB Chairman Edward Miller: "They (board remedies) are, rather, part and parcel of an administrative effort to shape viable and continuing relationships among the parties who appear before us and who must often live together long after our file on their case has been sent to the archives."

With regard to the legality of the make whole remedy, there are still other problems. The National Labor Relations Act gives the NLRB broad discretion in fashioning remedies. It is not so broad, however, as to allow the imposition of a punitive remedy. Furthermore, the law specifically forbids the NLRB to compel either party to agree to any substantive provision of a collective bargaining agreement.

From a practical point of view, the make whole remedy offers even less of a solution. The remedy would require the board to devise a computational formula that would yield those wage gains which the employer might have given and the union might have accepted. When one considers the tremendous amount of time, money and energy that both employers and unions spend in reaching this figure, one cannot help but ponder how the five NLRB members could achieve such a formula. Moreover, since the parties would be required to bargain over future wages, the figure established by the board would no doubt become an absolute floor from which the union would begin to negotiate. Finally, if the board is allowed to dictate what the wage gains might have been, why then not also permit it to dictate the possible gains in fringe benefits, in working conditions and in hours worked? Such a result would surely violate not only our nation's labor policies, but all sense of justice as well.

A final issue is the possibility that a union may lose a secret-ballot election due to an unfair-labor practice charge found against an employer. The NLRB's remedy for this has recently become the issuance of a mandatory bargaining order despite the employes' vote for no union. The board thus assumes that the employes want union representation but that because of the employer's actions they are, and continue to be, afraid to so vote. This is true, the board has reasoned, even though there may be a substantial lapse of time and a significant employe turnover in the interim.

Benefitting the Unions

The intended beneficiaries of the National Labor Relations Act are the employes and the public. The use of the mandatory bargaining order may well serve to benefit, at the expense of the employes, only the union. The NLRB, in justifying the use of the bargaining order, has reasoned that the unfair-labor practice has destroyed the "laboratory conditions" necessary for a valid secret ballot election. The remedy for this cutback on freedom has been to order the employer to recognize the union based on the authorization cards that a majority of employes signed. The result then is that because some employe freedom is lost, the board will use an even less free method—card check—to force union representation. Surely such a result contravenes the Congressional mandate added by the Taft-Hartley Amendments that clearly give employes the right to refrain from joining a union.

The use of the bargaining order becomes even more startling when one considers the tremendous time lag in board decisions. The NLRB has consistently refused to examine whether there has been a substantial change in the identity of the employes during the time of the commission of an unfair labor practice and the decision. The Sixth Circuit Court of Appeals, in the case of Clark's Gamble Corporation, strongly criticized the board for issuing a bargaining order despite a time lag of nearly two years, occasioned, the court noted, not by the procrastination of the employer but rather by the board itself. Where there has been a substantial change in the identity of the employes, the use of the bargaining order deprives those employes of their Congressionally guaranteed rights.

Speedier justice at the NLRB is indeed necessary, but speed without justice must be avoided. Again quoting NLRB Chairman Miller: "[The] emphasis . . . should be more heavily placed on prompt and efficient case handling than on belated expanded remedies, no matter how imaginative or inventive those remedies might be." If we are to maintain justice, preserve the policies of the National Labor Relations Act and protect the free system of collective bargaining, the proposed make whole remedy must be viewed with grave concern.

Mr. Abodeely is director of the labor policy section of the industrial research unit at the University of Pennsylvania's Wharton School of Finance and Commerce.

13,005,000 in the previous two-year period, the report notes.

W-S-J. 11/16/71

NLRB SPEEDS UP its processing of cases, but the backlog still mounts.

The median time for handling unfair labor practice charges filed with the National Labor Relations Board drops to 335 days from about 360 days in June 1970, when the board's present chairman, Edward B. Miller, took office. In the first four months of fiscal 1972, the board decided a record 265 unfair labor practice cases, about 50 more than it had ever decided during the same four-month period.

Board-watchers attribute the NLRB's quickened pace to the increased emphasis given speed by Nixon appointee Miller. But critics gripe that the NLRB still drags its feet on cases. One problem: a burgeoning influx of cases; the number swelled 11% in fiscal 1971 from the year before. "It's tough to do both, handle more cases with the same size staff and still improve on the timetables," explains Mr. Miller.

But with one of the five-man board positions vacant for three months, observers fear the NLRB's output of decisions will again decline.

* * *

BEATING THE SYSTEM: Jailed for allegedly

NLRB Kills Job Bias Ruling Against Firm, Avoids Use of Act to Enforce Civil Rights

11/12/71

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The National Labor Relations Board overturned a trial examiner's decision that could have plunged the board into its deepest involvement yet in civil rights questions.

By a three-to-one vote, the board reversed a June 1970 ruling by Alba Martin recommending that the National Labor Relations Act be used for the first time to force an employer to take specific steps to eliminate allegedly discriminatory employment practices against nonwhite workers.

The NLRB may still find itself a factor in efforts of minority groups against job bias, however. In this case, the board simply held that the examiner's conclusions as to the facts were "ill-founded." Thus it didn't even consider court rulings that it has the authority to bar discrimination in cases where the facts warrant such action.

The examiner's decision dealt with complaints by the United Packinghouse Workers Union that Farmers' Cooperative Compress, a Lubbock, Texas, cotton-producing concern, had committed an unfair labor practice by allegedly discriminating against its employes on grounds of race and national origin.

Affirmative Action Asked

To correct the alleged abuses, the examiner recommended that the company "cease and desist" and take "affirmative action designed to eliminate these policies and practices."

Acceptance of the examiner's decision would have represented a significant step, because the Equal Employment Opportunities Commission, created by the 1964 Civil Rights Act to deal with all forms of job bias, doesn't have the power to issue cease-and-desist orders.

But the board disputed Mr. Martin's finding that Farmers' Cooperative discriminated against Negroes and Latin Americans in the conduct of its job transfer policy, retirement pension plan and recreation program. The majority, consisting of the board chairman, Edward B. Miller, John H. Fanning and Ralph E. Kennedy, held that "the evidence doesn't support a finding" that Farmers' Cooperative "has maintained a policy and practice of invidious racial discrimination against its employes on account of their race or national origin."

A fourth board member, Howard Jenkins Jr., dissented. He argued that the statistical evidence disclosed an overwhelming disparity between white employes and black and Mexican-American employes in higher-paying jobs and pension eligibility.

Some "Doubt Persists"

The majority conceded that "doubt persists" whether the concern "fully rectified the effects of past discrimination concerning supervisory positions." But the board held that such uncertainty should be resolved in the company's favor, and added that in 1967 the company began an affirmative antidiscrimination policy.

The board's decision was its second in the case. In 1968, the NLRB ruled that Farmers' Cooperative had failed to bargain in good faith with the union over working conditions and alleged discriminatory practices. The board ordered the company to bargain over working conditions. It didn't, however, order the company to bargain on the issue of job discrimination.

In 1969, a federal appeals court enforced the board's bargaining order, but remanded the case to the board to determine whether the company indeed had a policy of racial discrimination. The court took the view that such a policy and practice could constitute an "unfair labor practice" under the law the NLRB administers.

Further hearings were conducted by Mr. Martin, who ruled that Farmers' Cooperative was guilty of job bias. The decision was appealed to the board, which now has overturned it.

THE WALL STREET JOUR

NLRB

Speaking of Business

W-S-J 4/4/72

By LINDLEY H. CLARK JR.

Informing the Electorate

One of the more important decisions a worker makes may be his choice of a union.

Once he joins he usually must go along with the union's decisions and actions, even though he may disagree with some of them. Courts, for instance, have upheld the unions' right to fine members who cross picket lines to go to work, and some of the fines have been very stiff. In a union-shop situation, the worker can opt out of the union only by quitting his job.

Realizing that the stakes are high, the National Labor Relations Board has always conducted employe representation elections with great care. The board's effort, though, has centered almost entirely on making sure that the unions get their side of the story across.

To a certain extent the NLRB emphasis is understandable. Employers see their employes every day in the normal course of business operations. Unions are usually outsiders, without the same access to employes.

In a recent issue of the Record of the Association of the Bar of the City of New York, labor lawyer Woodrow J. Sandler tells how the NLRB has sought to ease this problem for the unions. The tactic has been to require, since 1966, that employers give an employe list, with home addresses, to the board, which then gives it to the unions.

"Without a list of employe names and addresses," the board said, "a labor organization, whose organizers normally have no right of access to plant premises, has no method by which it can be certain of reaching all the employes with its arguments in favor of representation and, as a result, employes are often completely unaware of that point of view. . . . It seems to us obvious that the access of all employes to such communications can be insured only if all parties have the names and addresses of all the voters."

* * *

The names-and-addresses rule has been backed by the courts and, superficially at least, there may appear to be little wrong with it. Who can oppose the idea of an informed electorate?

Obviously there can be inconveniences for some employes, those who may prefer not to have union organizers ringing their telephones or knocking at their doors. In one case, though, a federal court said that "the possible annoyance of being telephoned or visited at their homes is far outweighed by the public interest in an informed electorate."

Even the strong probability that union organizers would harass the employes, possibly violently, has carried no weight with the board or the courts. It can be obvious to everyone that the union has ample access to the employes, without the home addresses, and still the addresses must be supplied. The union may have secured a complete list from other sources, and yet the employer must furnish his own list.

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In one case the employes intervened as a group, opposing the release of their names and addresses; they feared the union would harass them. Rejecting this plea a federal court said, with far more confidence than the employes apparently felt: "It is unlikely that a union seeking votes to be cast in a secret ballot election would alienate potential support by overly aggressive campaigning."

Nor does it matter whether employes are already fully informed on the issues. In one case several employes submitted written statements to show full knowledge of everything involved, and yet the employer had to supply their names and addresses to the union. "To look beyond the question of substantial completeness of the list," the NLRB said, "to see whether or not employes were actually informed would create an 'administrative monstrosity.' "

Some employers would argue that the board, in its whether-or-no use of the name-address rule, has created something of a monstrosity anyway. It wouldn't be fair to say that the board applies the rule to absolutely every situation, though. In one case the board held that the employer did not have to furnish home addresses: The employes lived and worked aboard the employer's ships almost the entire year.

When the NLRB began demanding home addresses, it said that the program was to some extent experimental. In effect it held that if the name-address rule did not help the unions enough it would consider another measure: equal time.

Under equal time, which some unions long have sought, employers would have to invite union officials to mass meetings on the employers' premises. At these meetings the union leaders could expound, before captive audiences of employes, in answer to each and every argument made by employers. "Should it ever be concluded that (the name-address rule) has failed its purpose," says Mr. Sandler, "the 'equal time' doctrine is waiting in the wings."

* * *

It would seem, however, that the rule could be applied with more discrimination, at least in cases where the prospect of harassment appears very real. It would help, too, if the employer were freer—or felt freer—to state his side of the case.

When the NLRB was first set up in the 1930s, it appeared for a time to assume that the employer had nothing of value to offer; the line seemed to be that unions were good for everybody, and employers were not allowed to say anything at all. Later the rules were relaxed a bit, and the Taft-Hartley Act supposedly established the employer's right of free speech.

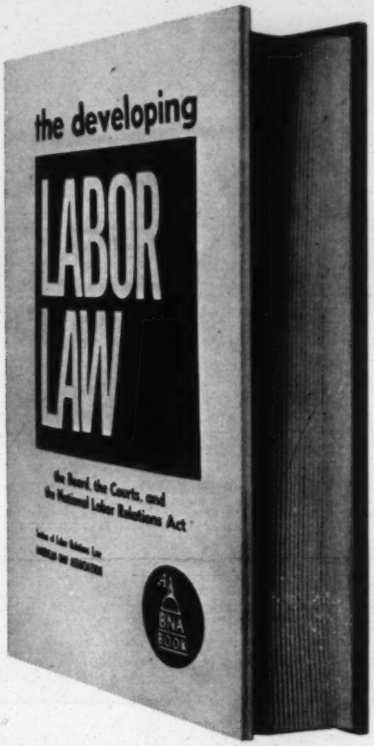
The Taft-Hartley Act specifies that the employer can express any views, arguments or opinions without committing an unfair labor practice as long as he does not include an actual threat of reprisal or force or promise of benefit. Whether this rule is enforced or not, though, has usually depended on whether the board has been controlled by prounion members or not.

During the Kennedy-Johnson years, the board so restricted employer statements that many employers have been afraid to say much of anything. The board's position may have eased a little lately, but not very much.

Labor unions differ greatly in their usefulness to employes; in some cases, the employes may be much better off with no union at all. The issues can be complex and the employes, who often are much brighter than the board seems to think, deserve reasonable access to relevant information. The NLRB does the employes a disservice by focusing so heavily on efforts to make sure that they see only the union side.

Labor Law - NLRA

Just published! The most comprehensive work ever written on the National Labor Relations Act



A monumental, 1,000-plus-page work of incomparable value not only to every lawyer with a labor relations practice, but also to the general practitioner in search of an authoritative and comprehensive reference work.

What Michael I. Sovern, Dean, Columbia University School of Law, thinks of . . .
THE DEVELOPING LABOR LAW

I would like to tell of my critical contribution to the realization of THE DEVELOPING LABOR LAW. I remember well a telephone call from the then-chairman of the American Bar Association's Section of Labor Relations Law. He reported, with some embarrassment, that he had just invited Professor Morris to serve as chairman of a committee to write a book on the National Labor Relations Act, and that Professor Morris had indicated his willingness but had suggested that I be asked first because of my recent service as co-chairman of the Section's Committee on the Development of Law under the National Labor Relations Act. . . . I deferred to Professor Morris. Had I accepted, I find it impossible to believe that I would have surmounted all the obstacles to completion, as he has.

The writing of THE DEVELOPING LABOR LAW required scholarly insight, editorial acuity, and a large measure of delicate mediation and sensitive leadership. THE DEVELOPING LABOR LAW is probably the only reference work that had not only to be written but to be negotiated as well with counsel for management and labor. That a highly useful volume has emerged is remarkable. That it is not an anthology but an integrated whole, stamped with the same style throughout, is little short of a miracle. The result is a tribute both to the many talents of Professor Morris and his coworkers and to the great capacity for cooperation that our profession can bring to a task when it is stimulated to do so.

Professor Morris and the Section have promised us annual supplements to be prepared by the Section's Committee on the Development of Law under the National Labor Relations Act. In my judgment, Professor Morris and his colleagues have done even better than that. Time and again they have analyzed a rule, a principle, or a trend so thoroughly that all of the relevant considerations and possible solutions are readily apparent. To be sure, the reader needs to be told, and the book does, of course, tell him, which solution is the current choice. If and when reversal comes, the change of a few words will be all that is necessary to make such discussions fully current.

Professor Morris and his fellow committeemen have done their work surpassingly well. They have, as they hoped to do, set forth clearly, succinctly, and fairly "whatever the law was and whatever it now is." The practitioner will find in THE DEVELOPING LABOR LAW a useful, practical guide to the law he needs to know. The student will find a helpful crutch. . . . Law professors will find THE DEVELOPING LABOR LAW a useful adjunct to their teaching.

Professor Morris, his committee, and the Section of Labor Relations Law have rendered us all a large service. We are in their debt.

We could fill columns with the names and professional qualifications of the 60-plus specialists in labor relations (all of them members of the Section of Labor Relations Law of the American Bar Association) who have participated in the writing of *The Developing Labor Law*. We could fill additional columns with the praises already heaped on the final fruits of this four-year project, conducted under the guidance and direction of Editor-in-Chief Charles J. Morris, Professor of Law at Southern Methodist University. But Dean Michael I. Sovern says it all in elegant and perceptive fashion in his Foreword to the book. We've reproduced excerpts here. Read his candid comments. Then, mail the coupon for your first-edition copy of *The Developing Labor Law*. Members of the Section of Labor Relations are entitled to a special $5 discount.

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Labor-Management Reporting and Disclosure Act of 1959, As Amended[1]

[Revised text [1] showing in bold face new or amended language provided by Public Law 89—216, as enacted September 29, 1965, 79 Stat. 888]

AN ACT

73 Stat. 519.

To provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959."

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[1] Public Law 257, 86th Cong. (73 Stat. 519-546), as amended by Public Law 216, 89th Cong. (79 Stat. 888). This revised text has been prepared by the U.S. Department of Labor.

Gary F. Vito
Labor Law

INSTITUTE OF INDUSTRIAL RELATIONS

UNIONS, ANTI-TRUST LAWS AND INFLATION

by

FREDERIC MEYERS

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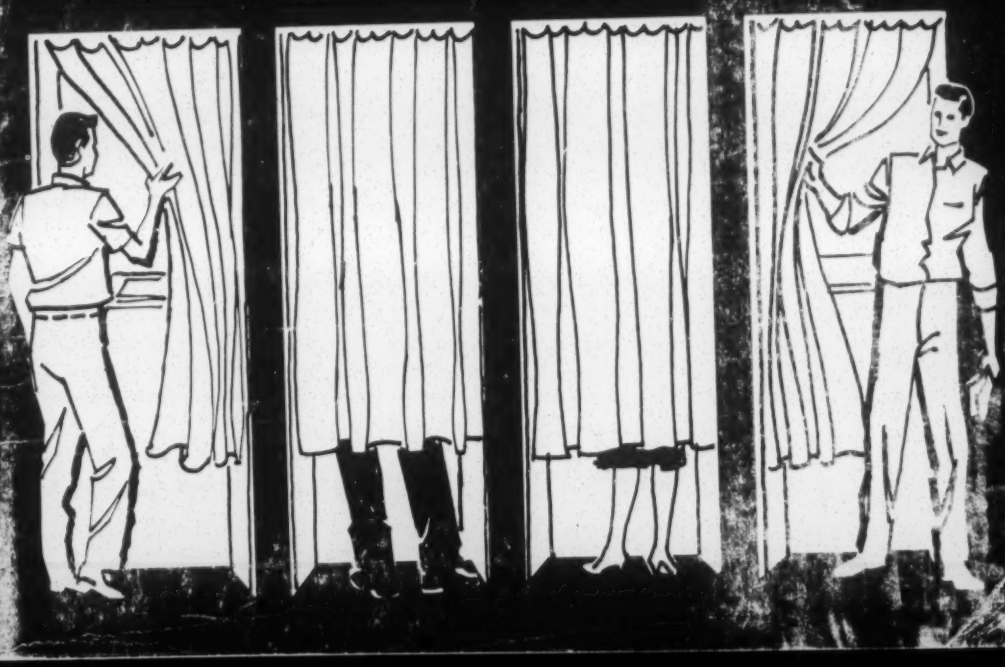
LOS ANGELES 24, CALIFORNIA
1959

U.S. DEPARTMENT OF LABOR
Labor-Management Services Administration
Technical Assistance Aid No. 5

Revised June 1964

ELECTING UNION OFFICERS



EIC - Labor law

AFL-CIO News 3/4/67

Union Action Upheld:

High Court Backs Grievance Ruling

The Supreme Court has reversed a Missouri Supreme Court ruling that a union must pay $10,000 in damages to a member for deciding not to carry his grievance to arbitration, the fifth step of the grievance procedure.

Five justices joined in finding that the National Brotherhood of Packinghouse & Dairy Workers, unaffiliated, and its Kansas City Local 12 did not fail in their duty of fairly representing Benjamin Owens, Jr., now deceased, by deciding not to take his grievance case to arbitration. Union officers said there was insufficient medical evidence supporting Owens' claim that he was well enough to return to work at the Swift & Co. packing plant in Kansas City Mo., after treatment for high blood pressure. A company doctor decided he was not.

Three justices concurred in reversing the lower court but for a different reason. They held that Owens should have carried his case to the National Labor Relations Board instead of the state courts. Justice Hugo L. Black dissented, saying the high court had set up a new rule in fair representation cases and he does not accept it.

Last year the AFL-CIO filed a brief supporting the position of the brotherhood and urging reversal. Though Owens' union is not a federation affiliate, the AFL-CIO has a "profound interest" in the dispute because more than 90 percent of all U.S. union contracts with management have a grievance procedure similar to the one in the brotherhood's contract, the brief noted.

The Supreme Court opinion, written by Justice Byron R. White, recited that a suit filed on Feb. 13, 1962, in the Circuit Court of Jackson County, Mo., alleged that Owens had been discharged by Swift in violation of the collective bargaining agreement then in effect and that the union had "arbitrarily, capriciously and without just or reasonable reason or cause" refused to take his grievance to arbitration.

A jury heard the evidence and awarded Owens $7,000 compensatory and $3,300 punitive damages. The trial judge set aside the verdict on the ground that the NLRB had exclusive jurisdiction. The Kansas City Court of Appeals upheld the judge's ruling but the Missouri high court reversed the lower courts on the basis of previous U.S. Supreme Court findings. It directed reinstatement of the jury's verdict but cut punitive damages to $3,000. Meanamination "did not support" Owens' claim and the union executive board decided to drop the grievance. It advised Owens to accept Swift's offer of referral to a medical center. He refused and filed his suit.

The Supreme Court majority concluded that state courts have jurisdiction in this type of case, but that federal law governs and federal standards must be applied. They were not applied in the Owens case, it found in reversing the state supreme court.

Rules of Conduct

A breach of the legal duty of fair representation occurs only "when a union's conduct toward a member . . . is arbitrary, discriminatory or in bad faith," the high court's opinion said. "Though we accept the proposition that a union may not arbitrarily ignore a meritorious grievance or process it in perfunctory fashion we do not agree that the individual employe has an absolute right to have his grievance taken to arbitration regardless of the provisions" of the contract.

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The facts, related in the Supreme Court opinion, were these:

Took Sick Leave

In mid-1959 Owens, a long-time high blood pressure patient, entered a hospital on sick leave from his job at Swift's. After a long rest his family physician certified him as fit to resume work, but a company doctor examined him and concluded his blood pressure was too high for one doing the heavy work he performed.

Owens got a second authorization from another doctor and a nurse permitted him to resume work on Jan. 6, 1960. Two days later the Swift doctor discovered he had returned and he was "permanently discharged on the ground of poor health," the court related.

Owens then sought the union's help and a grievance was filed. On Feb. 6, 1961, the union sent Owens to a new doctor at its expense to see, as the union put it, "if we could go to arbitration with his case" after management continued refusing to reinstatement. The ex-

5-26-67

Power of Labor Department In Union Elections To Go Before Supreme Court

MO. Teamster 5/26/67

WASHINGTON (PAI) — How much power the U.S. Labor Department has in laying down conditions for local union elections is a question that the U.S. Supreme Court has agreed to decide.

The Court has granted the Labor Department permission to appeal two cases brought against local unions whose election procedures were challenged by the Department as part of its enforcement of the Landrum - Griffin Act. In both cases, lower courts ruled against the Labor Department on the grounds that subsequent elections made the Department's original challenges irrelevant.

Under Landrum-Griffin broad lines are laid down for local unions in conducting their elections. On the filing of complaints by members that the elections were irregular, the Labor Department can file suit to have them set aside and new elections held.

This happened in two cases. One was against the Washington, Penn. Local 153 of the Glass Bottle Blowers and the second was against the Youngstown, Ohio, Local 125 of the Laborers International Union.

The case involving the Glass Bottle Blowers went back to 1964 when the Department of Labor sued to set aside a 1963 election. The Department challenged the local's constitution and bylaws on the grounds that qualifications for office in the local were too restrictive.

A federal district court agreed with the Department on the "restrictive" point but saw no fraud in the election. In addition, the local had held an election in 1965 which was not challenged by a member of the local. The Labor Department then wanted to challenge the election on its own but the court refused it permission. It also held that the 1965 election had made the 1963 election irrelevant.

The second case — that of the Laborers — involved the question of eligibility of candidates and here again a subsequent election wiped out the original challenge.

The Labor Department now claims that there are a number of similar cases which have been left up in the air because of the two lower court decisions.

In its brief to the Court, the Department contended that the time element in a legal fight to overturn an election will frustrate enforcement of Landrum - Griffin unless the lower court decisions are overthrown.

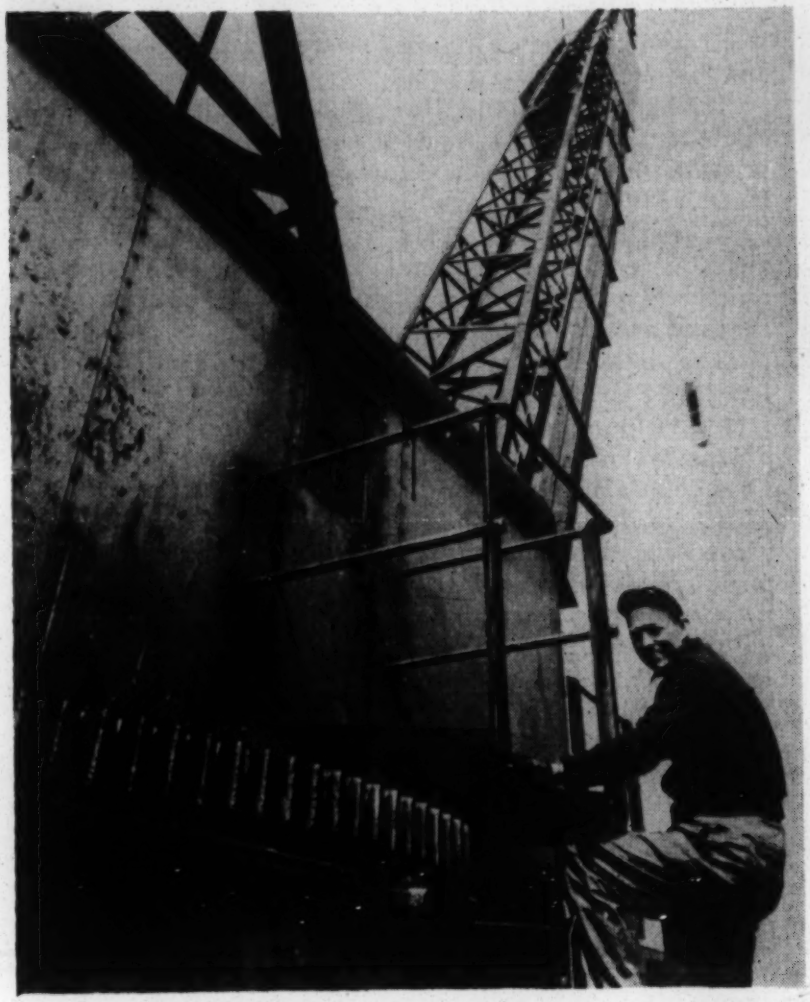
A number of unions have taken issue with the way in which the Labor Department's Bureau of Labor-Management Reports administers the Landrum - Griffin Act. Most recently, sharp charges have been released by the Seafarers and the National Maritime Union.

EVC File – Labor Laws – Longshoremen – Traffic

Union Democracy in Action

No. 21

TOM DEACON, OPERATING ENGINEER, AND LOCAL 12, LOS ANGELES



Bulldozers and cranes, shovels and hoists, tractors, road rollers, and all the other heavy equipment in building and construction, powered by gasoline, electricity, diesel, and steam, are run by members of the International Union of Operating Engineers (AFL-CIO). Tom Deacon, of Los Angeles, a licensed operating engineer, can handle them all.

Deacon is in his late fifties, is married, two children and two grandchildren. As a youth, he worked as a railroad fireman and engineer before entering the construction trades in 1933. During the war, he ran a crane at the Todd Shipyards in Brooklyn and served on union negotiating committees. For nineteen years, he held a card in IUOE Local 12. As long as he kept the engines running without thinking thoughts, he was all right. But he became curious about how the officers were spending the local's money and he kept looking. One familiar incident led predictably to another until he was finally thrown out in February, 1966.

While still a member, Deacon and other local members were interviewed by the *Valley Times* which reported on December 10, 1964, that Deacon had accused officials of the 22,000-member local of siphoning off over $1.7 million in salaries and expenses, including $50,000 to the top man, and that he had won a state court order permitting him to inspect the local's books. Deacon charged that his associate, Kevin Walsh, had been beaten at a union meeting and that union members feared retaliation if they voted and spoke their convictions.

On February 12, 1965, the Local's Business Manager, Joseph Seymour, chief target of Deacon's criticism, preferred charges against him.

Deacon went to court; the judge would not stop the union trial proceedings; but he did order a court reporter to make an official transcript, leaving for the interested historian an example of what frequently passes for a trial in the labor movement.

The trial outcome was predetermined by the local's structure. Its jurisdiction spreads over all Southern California and Southern Nevada. Many members work away from home and must travel hundreds of miles to a meeting and back, not easy for a man with a job. But the officialdom is freer and more adaptable. Business Manager Seymour, the complainant, can count upon a paid staff of some 60 Business Agents whom he fires and hires (B.A.'s are appointed, not elected.) Each Agent, in turn, has power enough over jobs and other perquisites to induce at least a few steady workers to follow his directives. It is not difficult for this assemblage of officials to round up buddies enough to control a meeting and bring them in by car and bus.

On May 31, 1965, a membership meeting assembled and Deacon's trial began. As he entered the hall, the booing began. When the Chairman asked Seymour if he was ready to proceed, he replied, "I have been waiting for fifteen years."

The atmosphere properly set, Deacon offered a calm and dignified defense—or tried to—interrupted by catcalls, epithets, and unrestrained profanity, all in the record. Then, he was quickly expelled by a vote of 326-66, fewer than 400 voting in this local of 22,000.

The charges ought to be preserved as a specimen; we print them *in full*:

> That Thomas M. Deacon has caused dissension among the members by committing an offense discreditable to the Union and has attempted to destroy the interests and harmony of the Local Union.
>
> Thomas M. Deacon was responsible for an article that appeared in the December 10, 1964, issue of the *Valley Times* newspaper. This accusation of Deacon's was outside the confines of the Local Union and reflects loss of dignity to the membership of Local No. 12. The article itself is not the issue. The issue is that Thomas M. Deacon has made public his personal opinions and accusations regarding members of Local 12.

Readers must note, because of what follows, that the validity of Mr. Deacon's "opinions and accusations" were not considered. In fact, the whole issue of truth or falsehood was ruled out of order. For example: Deacon charged Seymour with receiving $50,000 in salaries and expenses in 1963. At the local trial Deacon tried to ask, "Mr. Seymour, will you state for the

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"DISCREDITABLE" OFFENSES

Deacon was expelled for "an offense discreditable to the International Union or its subordinates." He thought that he was defending the union's integrity by demanding fair elections, financial accountability, and democracy. His offense, whatever it was, brought retribution swift and fast.

But in other instances over the years, the officialdom of the International Union of Operating Engineers has been careful to temper its distinctive sense of justice with mercy.

When Joseph Fay, a Vice President in 1947, was convicted of extortion, his family drew $238,000 from the union while he was in prison. When he got out in 1956, his local awarded him a pension.

The union's president, 1940-1958, William E. Maloney, rose to power with the aid of gangsters. In 1953, a rank and file opposition leader, Dennis Ziegler, who had fought Maloney, was shot and killed on the streets of Chicago. Maloney went on to become rich: between 1950-1965 he made $742,000 and bought Cadillacs and a $35,000 yacht with union money. When these facts were exposed to public view he resigned in 1958. The union dispensed no harsh justice then; it magnanimously overlooked transgressions that might have seemed "discreditable" and granted Mr. Maloney a $50,000 yearly pension.

Since then there have been changes. The IUOE was presumably reformed from above by George Meany. But one vociferous rank and file leader suggests that something "discreditable" may still remain. The officialdom's reply comes as an automatic reaction. Get rid of him, of course! It may seem harsh after such magnanimity to others. But the quality of mercy is not inexhaustible or indiscriminate.

DEACON (continued from page 1)

membership what your salary was for the year 1963?" The room went into an uproar while Seymour juggled the question and replied, "I charged you with going outside the local union through the newspapers. This is what I charge you with. I want the judge to know when he reads this transcript that this is what I am basing my charges on, and I said my sole charge was because you went outside the organization Deacon, to the press."

Deacon: "Mr. Chairman, I ask you now to instruct Brother Seymour to answer the questions and not to comment concerning the questions." The trial went into another furious uproar while Deacon persisted, "I still have not had your answer, Mr. Seymour. What was your salary last year?"

Chairman Carr: "You are out of order. It has nothing whatever to do with the charges."

Truth irrelevant, Deacon was expelled. A curious trial was now followed by a more curious appeal. Deacon promptly appealed to the International Office and after considerable delay, a special Hearing Panel assembled to act out the motions of due process, convening in Los Angeles June 24-25 and again November 17-18, 1965.

The Panel consisted of top International officials who, as usual, have a stake in preserving the family's equanimity against troublemakers. It denied Deacon the right to an attorney paid out of his own pocket while it enjoyed the services of its own attorney, General Counsel A. Woll, paid out of the union treasury. This is standard procedure and required no special imagination.

But in other respects, the tribunal injected something new into appeals procedure. It is not easy to make a contribution in a field that has been worked over by experienced hands. But Deacon's appeal inspired something new.

Ordinarily, an appeals tribunal reviews the validity of proceedings before a lower body and if charges are defective, and procedures unfair, it is expected to void the findings of the original body. Not in this case. The IUOE Panel developed a novel conception of its responsibility.

The Panel seems to have sensed that the charges were somewhat meager. But, instead of wasting all the effort that had gone into the original trial, the appeals board proceeded to patch up its defects ex post facto.

Deacon described the atmosphere at the local where, he contended, the jury was an organized screeching band. This, he suggested, was not quite fair. The Panel brushed aside the triviality. Even if he had not received a fair trial—which the Panel did not admit—the appeals proceedings in themselves somehow made up for this lack. The Panel need not bother itself with the validity of the original proceedings; it was perfectly capable of sustaining a guilty verdict without digressions.

Deacon had come to appeal from a verdict based upon a specific set of charges. In the course of the appeal hearings, he discovered that these charges had evaporated; the appeals tribunal had unexpectedly substituted a new set. At the original trial, he was not allowed to prove his accusations, for truth was out of order. But the Panel, in a rash of independent initiative and a sudden thirst for truth, found him guilty of three "false" statements. Two of these statements were not attributed to Deacon, who was not accused of making them himself. He was found guilty because these statements were made by others! Hard to believe? But there it is.

"False Statement" No. 1: The *Valley Times* reported that Deacon had won a slander suit against Local 12. Actually this was a slight error. He had won a slander suit, not against the Local, but against its former Business Manager. In the following month, the *Times* corrected its little mistake, but the Hearing Panel waved that aside with the comment, ". . . at least one member of Local 12 still believed at the time of the Panel Hearing that Deacon had sued both Bronson (the former Business Manager) and the Local Union." With such logic, anyone might be convicted of anything; at least one person is always available to believe almost anything. Deacon hadn't been charged originally with making false statements; this one wasn't so very false: and Deacon hadn't made it. But why beat around the bush? A reporter made a mistake: a newspaper made a tardy retraction; one local member was ignorant. The evidence was overwhelming. Expel Deacon!

"False Statement" No. 2: The *Valley Times* headline had read: "Engineers Local 12 Torn By Dissension." The Panel solemnly found "That the newspaper heading was false and untrue in that the union was not in fact torn by dissension but on the contrary 80 to 90 percent of the members of the union supported the leadership." With that, we can choose between two contradictory charges: 1. the local version—*there was dissension,* created, of course, by Deacon, and 2. the Appeals Panel version—there was no dissension, and the newspaper lied. But why be mired in facts and logic? The International had the power to enforce its analysis. Deacon was expelled and with one dissenter less, obviously there would be more harmony.

"False Statement" No. 3: Deacon did not utter the first two "false statements" but he did say something. Deacon told the press that members were afraid to attend meetings. This, the Hearing Panel decided, was false. Actually, it insisted, members staved home because in this Local, where it was a lie to speak of dissension, Deacon and friends were disrupters. Clearly a difference of opinion. The Panel proved its point by kick-

(continued on page 7)

UAW REVIEW BOARD DECISION: A YEAR LATER

If Public Review is good for the United Auto Workers, why not other unions?

Why not, for example, the International Union of Electrical Workers? The IUE went through two debilitating factional struggles within a few years. It is led now by men who would not be in office if they had been denied recourse to an impartial judiciary. The present leaders of the IUE, when they were in opposition, appealed outside the power structure of their own union to federal court for fair play in their contest with James Carey. But an ordinary IUE member, who cannot afford the luxury of the nation's courts, has no such recourse.

Why not Public Review in the International Ladies Garment Workers union; why not in the American Federation of Teachers? Why not all the others which, like the UAW, are considered especially liberal and enlightened?

The UAW is content to enjoy the public and private benefits of its own institution without the burden of crusading for it elsewhere. It does not venture even to suggest, gently, that perhaps other unions might afford the same due process to their members. And since no one crusades for public review, no one else is compelled to oppose it publicly. It is difficult to answer objections to it because they are seldom publicly expressed.

In private, public review is sometimes ridiculed as a mere public relations gimmick. Only a union which is already democratic, the argument goes, would create a genuinely impartial review board. Even if a bureaucratic officialdom could be pressured into action, its board would surely be a fraud constituted by administration stooges for window dressing. Therefore, the thought concludes, public review is possible only where it is unnecessary.

But the UAW experience refutes the argument. The UAW is a genuinely democratic union; yet it does need public review. Democracy evolves; it can be strengthened in the minds of men; it can become debased and perverted. Public Review helps to strengthen and perpetuate UAW democracy. We are reminded of this truth by a letter to the UAW Public Review Board from Bob Weissman who wrote on June 5, 1965, that he had been elected president of UAW Local 122 in Twinsburg, Ohio. If not for the Public Review Board, Weissman would not have been a member of Local 122 and could not have run for office.

Weissman had been local union recording secretary in 1959 when he was discharged by Chrysler. The union filed a grievance; but when the Umpire upheld the company, Weissman's career as a Chrysler employee was over. In 1951, he was elected local president, a full-time job and he held the office until 1963 when he was defeated for re-election. Three weeks later, although he announced that he wanted to remain in the local and pay dues, the new financial secretary issued him a withdrawal card cancelling his membership. Weissman appealed without success to the International Executive Board which ruled that the membership of a discharged worker was dependent upon the will of the local.

Behind these formalities were the sordid realities of union politics. Weissman headed one group in the local. His opponents were now in power and happy to be rid of him. Weissman was no admirer of the Reuther Administration. His future in the UAW, if any, looked bleak indeed.

No union officialdom wants to lose a loyal follower, especially an experienced and able leader. If Weissman were part of the official family, he would have had no problem. Local 122, or some other, could be induced to keep him on the rolls somehow. He could be assigned a spot on the International staff. He might be sent to a new plant, put on the job by agreement with a friendly plant manager and quickly rise in a newly forming local leadership. These things are part of the normal life of any union, including the democratic UAW.

But not for a Weissman. He wasn't part of the administration caucus and did not submit to its discipline. In the natural course of events, he would have drifted away somewhere.

Hundreds of able leaders have been lost to the labor movement in this process which winnows out the experienced critic and retains only the experienced supporters of an officialdom. Administrative machines become stronger; the rank and file loses those who independently express the dissatisfactions of the working membership. The officialdom seems to have a natural monopoly of talent but that is one artificial result of the decline of effective democracy.

In an important way, the UAW Public Review Board countered this process in the Weissman case. It ruled that discharge could not justify depriving a man of his membership.

On June 22, 1964, the Board ordered Weissman reinstated in Local 122. On June 5, 1965, Weissman wrote this letter to it:

> Dear Rabbi Adler:
>
> I am sure that the Board will be interested to learn, as a follow-up to last year's case in which my UAW membership was restored by the Board's decision, that I have been again elected to the Presidency of UAW Local 122. Since my candidacy and election were possible only as a result of the Board's action, I am now doubly appreciative of the decision the Board rendered in my favor.
>
> I believe that my case points out a particularly important aspect of the Board's very useful role: the protection of individual and group rights and interests against the tyranny of temporary majorities. . . . I was originally denied membership by a small group of officers of my Local, who were upheld by a membership vote of 35-26. Two years later, I was elected President from among eight candidates, with top vote on the first ballot of 814 out of 2600 voting, and with 1361 votes in the run-off election to 1282 for my opponent.
>
> If there is ever anything I can do to further the work of the Board or the democratic concepts for which it stands, please feel free to call on me. Thanks again.

STILL NO PENSION FOR ALBERTZ

Hubert Albertz has won a long battle against corrupt officials of Local 32-E, Building Service Employees International Union. He might be expected to take satisfaction in the victory except for certain flaws. He still remains expelled from the Local; he has lost a pension as a result.

The Local's officers were found guilty in federal court of taking money from employers as bribes or loans. Henry F. Chartier, President, and Vincent J. Ricciardi, Vice President, and Stanley Unger, Secretary Treasurer, were sentenced to jail terms. Fred Meyer, Recording Secretary; and Thomas DiSalvo, Business Representative, were put on probation.

Albertz, a building superintendent, was expelled by racketeers in 1947 for opposing a dues increase and conducted a 19-year one man crusade for action by public officials. Albertz provided the leads that finally exposed the corrupt setup.

Yet he remains out. The union's General Executive Board has twice upheld his expulsion over the years. Although International President David Sullivan is pleased to be known as an enlightened labor leader and the local is now under International trusteeship, he has not discovered a way to restore Albertz to the position of honor he deserves.

NMU, THE DEPT. OF LABOR, AND A PINCH OF MARIJUANA

Five seamen challenged the May elections of top officers in the National Maritime Union, charging wholesale violations of fair election procedure. Their internal union remedies have been exhausted and now the Department of Labor is asked to take steps to void the elections.

The five are: James Morrisey, opposition candidate for National Secretary Treasurer, who according to the official tally polled one-third of the national vote; Joseph Padilla, who was recorded with 6,000 votes for Vice President; Harry Alexander, with a third of the votes for New Orleans Port Agent; Gaston Firmin-Guyon, with 25 percent for New York Port Agent; and Richard Haake, who was denied the right to run against Curran for president.

It will be fascinating to watch the Department of Labor juggle this hot potato. It has been involved with the NMU before.

In 1960, Secretary of Labor, James Mitchell, filed suit in federal court to upset the NMU elections that year, charging that the union did not provide adequate safeguards to ensure a fair election. Later, when Arthur Goldberg took over the job from Mitchell, he invented a unique method for whisking away his Department's own complaints. He permitted the union to stipulate that the violations would not occur again. With this assurance, he withdrew the Department's suit. Future promises were allowed to wipe out current offenses.

In the years that followed, this device helped the Department of Labor to slough off its responsibilities to union democracy. Elections in the Marine Engineers union, in the Musicians union, and in others, admittedly in violation of the law, were allowed to stand on the basis of such promises. Three odd aspects of this procedure are worthy of special note:

1. The agreements between the Department of Labor and the offending union officials are made behind the backs of the men who made the complaints in the first place. The unionists whose rights are violated are not even permitted to be in the room and watch while the deal is worked out. Their rights are bartered away without affording them even the right to object.

2. The Department of Labor makes no effort to police the agreements. It will not act, in any case, without a complaint from union members. But if an opposition is demoralized, discouraged, or crushed, there is no one left to make a complaint. The offending officials can repeat their offense and the Department of Labor will busy itself with other things, like filing reports in cabinets. The recent NMU complaint compels the Department of Labor to return to the scene of its stipulation.

3. Under the law, the Department of Labor has no stated powers over future elections, only over current ones. When it accepts promises for the future, the Department shirks the responsibility of utilizing the powers which it does possess by empty references to powers which it does not.

And now, the NMU elections. What will Willard Wirtz do in 1966 to enforce the promises made to Arthur Goldberg in 1961?

The most effective challenge to the Curran administration comes from James Morrisey. He has been an NMU member since 1942, a union Patrolman (representative) from 1949-53 and in all those years supported Curran in the many factional struggles. By 1966 he became disenchanted and ran as an insurgent for National Secretary Treasurer. In an impressive show of strength, he was credited with 5,875 votes to the winner's 11,205. In the port of New York where half the NMU strength is concentrated, he won 47 percent of the votes, the only port where the ballot count was subject to outside scrutiny.

With the NMU triennial convention scheduled for October,

(continued on next page)

MUSICIANS' UNION UPHOLDS MEMBERS' RIGHTS

Musicians can criticize their union officials. That right was reinforced when top officers of the American Federation of Musicians struck down a gag rule imposed by the New Haven, Conn., local. In this unusual action, the leaders of an International union have supported the internal democracy of their own rank and file.

New Haven Local 234-486 has a book membership of about 700; but, as in most musicians' locals, half the membership never works at the profession; and few of the others make it a full-time livelihood.

For two years, a group of local members has published a tiny periodical as a vehicle for rank and file democracy, the *Musicians' Voice of New Haven,* under the editorship of William Winnick. It is a modest mimeographed effort, sometimes a single legal-sized sheet, sometimes two. But it crusades vigorously on the issues, urges members to attend meetings, and succeeds in infusing the local with life. Winnick is active in civil rights affairs in the city; under his editorship, the *Voice* called for unity between two separate white and Negro locals.

The *Voice* charges that in Local 234-486, "contractor-employers dominate the affairs of the local and maintain an atmosphere of fear and reprisal." Winnick campaigned successfully for a resolution to oppose reprisals by employers against unionists who demand their contractual rights.

All this spirited and provocative criticism was too much for the local officials who found it easier to suppress Winnick than to answer him. In March, by a vote of 33-25 (out of 700 members), resolution No. 525 was adopted at a membership meeting.

It expresses its point of view so pointedly that we reprint it here for the convenience of John Birch chapters that might find it useful.

> Be it resolved that the following rules and regulations govern the writing and issuance by any member or members of any unofficial newsletter, pamphlet, bulletin, circular or any other unofficial publication dealing with the activities of this Local or any of its members:
>
> 1. Imprinted across the top of each and every publication there shall be printed in bold, black letters of not less than 1/2 inch in height and 1/16 of an inch in width the following: "THIS IS *NOT* AN OFFICIAL PUBLICATION OF LOCAL 234-486, AFM.
>
> 2. The names of all persons participating in the writing or issuance of said publication shall be prominently listed therein.
>
> 3. When any such publication contains material which defames the character of any member of this Local, the writer of such defamatory material shall be summoned to appear before the Executive Board to prove the truth of said defamation, and, if he cannot do so, he shall be penalized as herinafter provided.
>
> Any member who violates Section 1 or Section 2 of this Resolution shall be fined not more than $500.00. Any member who violates Section 3 of this Resolution shall for the first offense be fined not more than $1000.00 and for any subsequent offense he shall be expelled from this Union.

Winnick ignored the provisions and continued to edit the *Voice* without submitting to censorship. He was brought to trial and convicted. But when seventeen local members appealed to the International, it ordered the local to rescind the gag-rule.

IAM ORGANIZERS WIN STAFF UNION

Staff organizers of the International Association of Machinists have successfully launched their own union, the IAM Representatives Association. The new union won a collective bargaining election in July 108-91. Plato Papps, IAM Chief Counsel, said that the results of the vote would be honored; and the union has been recognized by the IAM.

In a letter announcing the victory, Franklin Nix, head of the temporary Organizing Committee wrote:

> I pointed out to you how we planned to insure democracy and absolute secrecy in the nomination and election of *your* officers. You should be thinking now about nominations and which representatives you consider best qualified to serve you. Every person in the bargaining unit is eligible for membership and for nomination and election to any office. As pointed out previously, the call for nominations will direct that they be returned to a certified public accountant here *not to me.* The same procedure will be followed for the election. The nominations—and later the election results—will be tabulated by the certified public accountant in the presence of ministers of three faiths. The certified tabulations will be furnished to all participating members. No effort will be spared to see to it that this is *your union* which *you run* for *your benefit.*

This new union has its direct origins in the IAM international elections of 1961-62. At that time, the IAM top officialdom decided to get rid of Vice President Roy M. Brown and cut him off the administration slate for reelection. Brown ran for Secretary Treasurer as an oppositionist.

Among other things, the split between Brown and the administration stemmed from the expulsion of Joe Addison who had brought charges of misusing funds against a District official in California. Addison was promptly expelled by International President Hayes after hearings before a Special Trial Board which he, himself, appointed. Brown would not adjust calmly to this atrocity; the administration machine had to cut him down. (Addison went to court and won reinstatement and damages.)

When Brown went down to defeat, nine West Coast representatives who had supported him were instantly fired by Hayes. The move to form a staff union soon began.

The following comment is reprinted from the *Banner,* published by IAM Local 1853 in Chico, California, under the spirited editorship of Bob Neiter, President.

An election was held and our Grand Lodge Representatives now have their own union. Now after spending time and effort in representing the rank and file membership, they can turn their own problems over to a representative of their own. In plain language, they have a union that will protect them from their own union employers.

Events in the past decade have definitely pointed out the need of such an association. It just doesn't make sense to protect the job security of others, when your own job security is tied to the whims of our International President and/or his Executive Council.

When Al Hayes as Pres., fired nine West Coast GLRs, they had no union to turn to in protecting their job security. They have had to resort to our Federal Courts in seeking the justice that was denied them. There were many more cases around the country, including the actions of some of the "Special Trial Boards." One of these so called Trial Boards found Bro. Joe Addison, guilty of trumped up charges and he was kicked out of the union. Joe was a fighter that wouldn't take a lot of abuse lying down. After he had gone through all channels open to him in the union, he went to Federal Court and was cleared, plus collecting damages.

Nine GLRs fired right here in our own back yard and the membership accepted this with their usual apathy. The many times that these GLRs had gone to bat for the members, was quickly forgotten. A strong GLR association could have prevented this miscarriage of justice and the buildup of the unrestricted power that could even wreck the career of Roy M. Brown, one of the most labor dedicated IVPs on the Executive Council.

The IAM Representatives Association, will of course be a small organization in regards to total membership, but nevertheless there is no reason why it can't be a very effective one. The representatives with their new found job security, can and should give better representation to the rank and file membership. So, everyone in our great Machinist's organization will gain from this newly formed union.

Credit where credit is due: Franklin Nix, who so ably handled the work of cementing together and forming the new organization, is to be congratulated on winning the election, and thanked for his many hours, weeks and months of hard work leading up to the election. But, let's not neglect to give a great deal of credit where due, the brutal tactics of past Pres. Hayes and past Sec.-Treas. Walker, at least in my estimation, these two were the contributing factors that made the election possible as well as the winning of it.

NMU: (concluded from page 4)

Morrisey published a four-page tabloid newspaper, the *Call for NMU Democracy,* to urge delegates to uphold his proposals for democratization of the union. He began to distribute the paper in mid-August. What followed is described by his attorney, Burton H. Hall:

> A few days later, Morrissey's photograph and the photograph of Joseph Padilla (who had helped Morrissey distribute the *Call)* were posted in the security shacks of the various piers in the ports of Newark and New York, with instructions that they be barred from access to any vessels—and in consequence, Morrissey and Padilla have since been prevented from going on board NMU vessels to distribute the *Call.*
>
> On Saturday, August 20, Morrissey went to the General Post Office in Manhattan to pick up mail at the post office box maintained there by him in the name of the *Call.* He collected the mail, took it to his automobile (parked outside) and opened it.
>
> One envelope that he picked up and opened turned out to contain a quantity of marijuana. Instead of simply throwing it away, Morrissey immediately took it to the postal inspector and explained to him what had happened. After a bit of fencing, Morrissey learned that on Friday, the post office had received an anonymous letter, composed by pasting words cut out from magazines onto a sheet of paper (i.e., the classic style for ransom notes), which purported to be from the father of a drug addict and complaining that Morrissey's post office box was a narcotics drop. The same day, the same anonymous tip or complaint was made by telephone to the New York *Times.* And the same day, the envelope containing marijuana arrived. From that moment on Morrissey's box was watched to see what happened. The "tips" seemed suspicious; for one thing, such tips are usually made either to a newspaper or to the authorities, but hardly ever to both; for another, the amount of marijuana in the envelope was ridiculously small; and for another, Morrissey had been checked out and had no record at all with the narcotics bureau. When Morrissey turned the marijuana in, it became clear that the whole thing was merely an attempted frame-up; but if he had kept it on his person, he would have been arrested promptly and would have faced automatic expulsion from the NMU.
>
> The following Monday (August 22), Morrissey drove to the NMU hall, parked his car outside, went inside to distribute the *Call,* and later returned to his car. As he opened the door, he was stopped by two policemen. It seems that they had received an anonymous tip that there was a gun concealed in Morrissey's car. A discussion ensued in which Morrissey explained what was going on; the policemen left, apparently satisfied.

A trumped-up marijuana charge could be particularly damaging to Morrisey. According to the NMU constitution, a member convicted of dealing in narcotics is subject to summary discipline.

WASHINGTON PAINTERS CALL FOR INVESTIGATION

Two murders in California and a near-murder in New York have turned the spotlight on a struggle by courageous union reformers for decency and democracy in the painting industry. The story now focuses on Washington, D.C.

In California, the two slain unionists had exposed a collusive racket in the painting of city houses financed in part with federal funds. In New York, Jack Graham, an employer, was beaten almost to death for refusing to join a bid-rigging conspiracy. A Grand Jury heard testimony that implicated crooked employers, union officials, and city inspectors in a scheme for defrauding the city by shoddy work.

And now more of the same in Washington. On August 23, eight members of Painters District Council 51 presented evidence to the General Services Administration that painting contractors had cheated the federal government of more than $75,000 in jobs on federally financed buildings in Gaitersburg, Md., including the National Bureau of Standards atomic reactor and seven offices and laboratories.

The Washington painters group was led by E. B. Mann. He is 58, and has been a union member for 35 years, and has founded the Painters' Cleanup Club, as a reform caucus of some 200 members in DC 51.

Mann said that he had complained to GSA more than fifteen months ago. GSA, which controls vast amounts of government property and is responsible for many construction projects, is in charge of enforcing painting specifications in this case. But Mann charged that its inspectors were incompetent and that the government had paid for three coats of paint but got only one.

GSA officials promised Mann to go promptly with him and inspect the sites of the presumed defective jobs; but when the first week dragged out without the promised trip, some Congressmen became restive. Representative Dante Fascell (Fla.) called for an investigation by the House Subcommittee on Government Operations and its chairman, Jack Brooks (Tex.), agreed. If the Committee starts with the Washington area, there is no reason why it should not look elsewhere.

In April, Mann's Cleanup Club won a federal suit to remove two District officials who had been convicted of felonies. The International's General Executive Board has insisted on keeping them in office. One of them, Robert Lowery, had been convicted of bribery and extortion in 1955. In the District elections in June, Lowry ran for the top job of Secretary Treasurer despite the federal court ruling. The Cleanup Club threw its support to Al Magnum who defeated Lowry in a close vote. Two other candidates were elected Business Agents with the support of reformers: Lou Donaldson and Herschel Slosky.

District Council 51 has a membership of about 1,400 divided into seven locals; five are regular painters locals; two are so-called "autonomous" locals of auxiliary trades.

CITIZENS' COMMITTEE

In June, a citizens group, *Committee for an Investigation of the Wilson-Green Murders and Racketeering in the Painting Industry,* addressed the letter below to Attorney General Katzenbach. His office replied to this and other letters that the Department of Justice was indeed interested in these matters. The fruits of its investigation, if any, are yet to be revealed.

As you know, two union leaders were murdered in San Francisco in April and May: Dow Wilson, Secretary of Painters Local 4, and Lloyd Green, Secretary of Painters Local 1178. We are gratified that the local police have announced some progress in solving one of these murders. Nevertheless, our Committee, many miles from the scene, addresses an appeal to you, because this is not a matter for San Francisco alone.

We are face to face with an urgent national problem. Here in New York, for example, a grand jury investigation has heard testimony on a racket in city painting involving millions of dollars and has brought in several indictments. In San Francisco, two *union men* were murdered. In New York, an *employer* was beaten almost to death and survived by a miracle. Clearly employers and unionists are common victims of racketeers.

This, then is surely not a "business" affair; we do not believe that businessmen stoop to murder for profit. This is surely not a "labor" affair; we do not believe that labor men settle internal union disputes by killings. We are convinced that these are crimes committed by enemies of the labor movement, enemies of business, enemies of ordinary human decency.

We fear that the San Francisco murders, like the beating in New York, may be an expression of a serious infiltration of racketeers into one of our nation's most important industries. The network of gangs and rackets is too far-flung and entrenched to be dealt with adequately by local authorities alone.

We join in the request made by California unionists to urge you to utilize the resources at your command to help track down all the San Francisco killers and to order an investigation into the painting industry with a view to wiping our rackets and crime.

We make this urgent request to protect labor, to protect business, and to defend the community from coldblooded murderers like those who revealed themselves in San Francisco.

The Committee members are: Melvin L. Wulf, Chief Counsel, American Civil Liberties Union; Norman Thomas, Socialist leader; Harvey Swados, author; Clyde W. Summers, Professor of Law, Yale University; Frank Schonfeld, reform leader in Painters' union; Meyer Schapiro, art historian; Bayard Rustin, civil rights leader; Rt. Rev. Msgr. Charles Owen Rice, pastor of Holy Rosary Church of Pittsburgh; Robert Repas, Associate Professor of Industrial Relations, Michigan State University; Morris Milgram, interracial housing developer; James McNamara, labor union official; John M. Mecartney, Sociology Instructor, Albion College; Ernest Mazey, Executive Director, Michigan Civil Liberties Union; Charles Larrowe, Professor of Economics, Michigan State University; Irving Howe, author, and editor of *Dissent;* Samuel Hirsch, President, Roosevelt Independent Democrats; Michael Harrington, author, *The Other America;* Burton H. Hall, attorney for union reformers; Harry Fleischman, Vice President, Workers Defense League; Father Philip A. Carey, head of the Xavier Institute of Industrial and Labor Relations; Thomas R. Brooks, author, *Toil and Trouble, a History of American Labor;* Leroy Bowman, Professor Emeritus, of Sociology, Brooklyn College, Board of Directors, League for Industrial Democracy; Algernon D. Black, President, Ethical Culture Society; James B. Atelson, Assistant Professor of Law, Buffalo State University; Gordon K. Haskell, ACLU Membership Director; H. W. Benson, UDA Editor. Haskell and Benson are the Committee's coordinators. (Organizational designations are for identification only.)

UNION DEMOCRACY IN ACTION September, 1966
Published by Labor Democracy Workshop
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Intimidation?

The members of Local 12 are not intimidated and anyone who says so will be expelled—that appears to be the position taken by the appeals panel. On the other hand, to back up their contrary charge that critics are indeed afraid of retaliation, reformers in Local 12 claim the following:

August, 1957: that Charles M. Inglis was kicked and beaten by paid employees of Local 12 and, charge the reformers, won damages of more than $13,000 for the assault from the Local and from his assailants.

July, 1958: that Jack Davenport, member, was beaten by a Local 12 Business Agent who was convicted in a California court for the offense.

December 11, 1964: that Kevin Walsh, a reform leader, was struck from behind at a membership meeting as he was speaking from the microphone.

January, 1966: that a Business Agent in Bakersfield, California, assaulted a member, Loyd Ottele, who complained that he had not been handling grievances properly (the same Business Agent who beat Inglis).

Premature Death of Tom Deacon

In February, 1963, while deeply engaged in his fight in Local 12, Tom Deacon got a telephone call from a Union Business Agent who said, "I just heard that you were killed in an automobile accident." Deacon wanted to know where the news came from and the B.A. replied that one of the office girls had heard it broadcast over T.V. Deacon wanted to speak to the girl but was told that she no longer worked there; apparently she had quit within ten minutes. He checked every T.V. and radio station to discover that no such report had been made.

His attorney protested to Business Manager Seymour that the incident was a veiled threat to his client and Seymour replied ten days later that a mistake had been made and that actually the reference should have been to a man named *Deason* (Seymour's friend). This deepened the mystery because, according to Deacon, his near-namesake *Deason* was quite alive, in good health, not involved in any accident and lived far from Los Angeles.

Deacon, Local 12, and the Los Angeles Police

On March 15, 1965, Deacon wrote to the Los Angeles Chief of Police that his life had been threatened. According to Deacon, Dick Rohr, a member of the Machinists' Union, met a member of Local Union No. 12 in a bar who said that he had orders to kill Deacon and pointed out a pistol and a sawed-off shotgun in his car as the murder tools. Rohr immediately contacted the FBI and informed Deacon who, in turn, made a formal complaint to the FBI and to the police Department in Downey. In his March 15 letter, Deacon reported all these facts to Police Chief William A. Parker and requested police protection at the next Union meeting.

Deacon reported that he had given no one copies of his letter to Parker and yet an exact copy of the letter, complete with typographical errors, turned up in the possession of Local 12's Business Manager who used it to file a libel complaint against Deacon.

The Los Angeles Police Department has not replied to long-standing requests to explain how this private letter might have been detoured into the hands of the attorneys of the Union and Business Manager Seymour, of Local 12.

DEACON (continued from page 2)

ing out Deacon. Its reasoning may be summed up in this: Deacon was expelled because he accused the officialdom of intimidating the membership. This action will, of course, convince the membership that it need have no fear.

In February, 1965, Deacon's associates founded the *Association for Democratic Procedures.* In some respects, this group is unique. Except in the International Typographical Union with its history of permanent internal political organization, most opposition groups storm into being over immediate issues, struggle for power or survival, and pass out of existence. The *Association,* however, was chartered as a continuing nonprofit corporation to promote democracy in the labor movement and, in particular, "to educate and suggest means and methods for establishing and maintaining democratic methods and procedures within the International Union of Operating Engineers."

The formation of the *Association* was not the beginning of the group's activities; it was a decision to make them continuous and systematic. At the Appeal Panel sessions, Deacon was interrogated about the *Association* and he proudly admitted that he was its founder.

A LOOK AT THE BOOKS?

Back in October, 1963, Deacon set out to discover how the Local's money was handled. Its annual income was about $2.5 million; and he wanted to know precisely how and why all this money was spent. He requested permission to inspect the books for 1961, including vouchers, receipts, and cancelled checks. The local officers turned him down. He appealed in vain to the International's General Executive Board. In April, 1964, he filed suit in California court; and by May, the lowest court ordered the local to make the relevant records available to him and his accountant. That first success, two and a half years ago, was only the start of a long ordeal punctuated by the expulsion.

The local went to the state Appellate court; in August, 1965, it lost. The local appealed, then, to the California Supreme Court; it was turned down in September, 1965. It persisted up to the U.S. Supreme Court which rejected its application for a hearing on February 21, 1966. In all this, the union officials were spending out of the union treasury; Deacon and friends were paying out their own money.

Still, Thomas M. Deacon, in quest of the simple right to inspect his union's books had successfully survived through the gamut of U.S. jurisprudence. It was long; it was expensive; it was nerve-wracking. At last, however, justice was done. The U.S. Supreme Court had spoken. The little man had triumphed over a rich and powerful bureaucracy. What a crashing vindication of American justice, rights of the individual, the Judeo-Christian tradition, all we hold sacred!

But not so fast. Deacon had won a court battle, but what about those books and records? Meanwhile, a parallel story was unfolding. Deacon, in all this time, was on trial in the union; and just as the Supreme Court ruled finally in his favor, he was finally expelled. On March 2, 1966, flushed with Supreme Court victory, Deacon asked again to look at the books with his accountant. A week later, he got the bad news. The local informed him that Thomas Deacon, union member, could inspect the books. But please note that you are no longer a member because we threw you out, so kindly go away. With that, complete with new lawyers' fees and court costs, back to the legal defense of our way of life.

The officials were still tapping the treasury for legal fees; Deacon was still paying his own.

Back in court on March 30, 1966, the judge again ordered

(concluded on page 8)

DEACON (concluded from page 7)
the local to make the 1961 records available to Tom Deacon, ex-member, within thirty days. The thirty stretched out to sixty, and sixty to ninety when the union suggested more time to get everything in order; and at last the appointed moment arrived. Deacon appeared at the local office on Friday, June 24, 1966, with a certified public accountant and two lawyers: Don Edgar Burris and Elaine Fischel. They were all dispatched to the union's basement garage to puzzle over a shoebox of ambiguous documents while automobiles came in and out with brakes screeching.

Right at the start there was trouble when James E. Gillett, CPA for Deacon, requested certain routine information from the union's accountant. The union's lawyer intervened and instructed him not to reply. From then on, all questions had to be funneled through the union's lawyer; but whenever he was called away, everything stalled. After a while, Gillett asked for some relevant payroll records; they were not available and everyone had to go home to give the union a chance to find them. That was the end of Friday.

The following Monday, June 27, Accountant Gillett arrived promptly at 9:00 A.M. only to be told that the payroll records had not turned up. He left, not wanting to waste his time and Deacon's money. When he returned at 1:00 P.M. part of the records were there but it did him no good. He couldn't work on them because the local officials refused to permit him to plug his electric adding machine into an outlet.

The day dragged on. Sometimes the union refused to produce records; sometimes it denied that they existed; sometimes it found them after long delay. When a search into a basement vault proved unsuccessful, it was detoured "upstairs." But whenever and wherever the records were stored, it took a long time to produce them.

Abruptly, a photographer appears, points a camera at the Deacon inspection team. They object; a long wrangle while no one admits to knowing who sent the picture man. At a moment when they are off guard, he snaps the picture anyway. Meanwhile, Deacon is busy duplicating certain documents on a photocopying machine which he had to rent himself, having been granted even this small privilege only after extended argument. For two years he had been trying for a job through the union's hiring hall. In all that time, the local apparently couldn't get him a day's work. But now, two years later, while he was in the basement, a call came over the loud speaker. Surprise! At last a job for Tom, but he would have to leave quickly. Deacon passed up his big chance to go on with the inspection.

By Monday, Deacon's team decided to end the farce. The lost two days are recounted in detail in a complaint by attorneys Burrish and Fischel asking a contempt citation against the union. All in all, the performance rivaled Barnum and Bailey. But for Deacon, it was a costly circus. He was paying his own good money for accountant and lawyer: the union officials continued to draw upon the members' money.

The Deacon Odyssey continues.

Elections and Re-Elections

Officers of Local 12 were busy defending the sanctity of its financial records from membership scrutiny; they were promoting harmony by expelling Deacon. They also ran elections, more accurately, re-elections. Between May 29 and June 22, 1964, members voted for local officers. Three major contenders sought the top job of Business Manager: Joseph Seymour, incumbent; R. B. Bronson, a former Manager; and Joseph R. Hurley, the candidate of the reformers, an officer of the *Association for Democratic Procedures.*

Seymour, in power, naturally had everything going for him. There were some sixty full-time Business Agents and 100 stewards who, we must assume, were sympathetic to his cause; they were all appointed by him. And there were twenty Board members and seven election committee members elected on his slate. He printed up pamphlets, handbills, and cards and mailed them out to the whole membership list. The reformers did as best they could, passing out literature hand to hand. It was impossible for them to reach the list of 22,000. The announced results were: Of 22,000 members, 9,500 cast valid ballots. Seymour was credited with 5,049; Bronson, with 2,037; Hurley was listed with 1,593. But it is difficult for an outside observer to decide what resemblance the official tally bore to reality; for the reformers protested the election; and the Department of Labor went to court to set it aside.

To run for the top job, a candidate must have been in continuous good standing for five years, paying dues promptly every single month, never late. For other top officers, three years. But Local 12 members follow construction jobs and live almost nomadically. Thousands change their residence in three years. Periods of concentrated work are followed by long unemployment. Moving about and paying dues when they are flush, a big majority is automatically disqualified from running for top office. Deacon, Walsh, and their followers charged that the election process was illegal, that the balloting was suspect from start to finish, that ballots mailed to a post box were removed without check by observers, that opposition watchers were kept behind ropes and not allowed close enough to check the official tellers. Their complaint was rejected in the union and they appealed to the Department of Labor.

After investigating, the Department found that the complaint was valid and filed suit in federal court to void the election. It remains to be seen whether this unusual little victory will bring substantial consolation to the embattled reformers. A glance at the calendar of events is disquieting:

June, 1964: Election completed.

July: Reformers complain to their union.

October: Department of Labor begins investigation.

October, 1964—April, 1965: Fall leaves, Winter snow, Spring showers. The Department continues to investigate.

April, 1965: Secretary of Labor files suit in federal court.

October: Pretrial conference. Case set for trial. More leaves, more snow, more showers.

August, 1966: Trial postponed to September.

Total time lapse so far: two years, four months.

As the Department of Labor and the court drift along their meandering course, the officials remain in power and use their authority to expel Deacon. Were they legally installed when Deacon was thrown out? There is another interesting question. Seymour was elected, perhaps illegally, in 1964 for a three-year term which expires in mid-1967. Will the term expire before the Department of Labor gets around to a new election. A hot race rages between the tortoise and the turtle.

Any accurate history of the operating engineers union must record extortion, murder, theft, blacklisting, fraud, and violence against members. But it must record equally the efforts of brave men who fight for decency and democracy motivated by the ideals and principles of the labor movement.

In San Francisco, Dow Wilson and Lloyd Green, painters who fought against corruption and for their members' rights, were murdered. But their fight goes on. Because the labor movement inspires men to demand social justice, there will always be unionists like Wilson and Green and like Tom Deacon. The rights of such men and their physical survival are the responsibility of the whole democratic community.

THE WELFARE AND PENSION PLANS DISCLOSURE ACT, AS AMENDED[1]

(29 U.S.C. 301–309)

(Revised text[1] showing in bold face type new or amended language provided by the Welfare and Pension Plans Disclosure Act Amendments of 1962, as enacted March 20, 1962 (P.L. 87–420, 76 Stat. 35))

AN ACT

To provide for registration, reporting, and disclosure of employee welfare and pension benefit plans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Welfare and Pension Plans Disclosure Act".

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Welfare and Pension Plans Disclosure Act

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Sec. 17. Separability of provisions.
Sec. 18. Effective date.

Findings and Policy

SEC. 2. (a) The Congress finds that the growth in size, scope, and numbers of employee welfare and pension benefit plans in recent years has been rapid and substantial; that the continued well-being and security of millions of employees and their dependents are directly affected by these plans; that they are affected with a national public interest; that they have become an important factor affecting the stability of employment and the successful development of industrial relations; that they have become an important factor in commerce because of the interstate character of their activities, and of the activities of their participants, and the employers, employee organizations, and other entities by which they are established or maintained; that owing to the lack of employee information concerning their operation, it is desirable in the interests of employees and their beneficiaries, and to provide for the general welfare and the free flow of commerce, that disclosure be made with respect to the operation and administration of such plans.

(b) It is hereby declared to be the policy of this Act to protect interstate commerce and the interests of participants in employee welfare and pension benefit plans and their beneficiaries, by requiring the disclosure and reporting to participants and beneficiaries of financial and other information with respect thereto.

Definitions

SEC. 3.[2] When used in this Act—

(1) The term "employee welfare benefit plan" means any plan, fund, or program which is communicated[3] or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, or hos-

[1] 72 Stat. 997, as amended by the Welfare and Pension Plans Disclosure Act Amendments of 1962 (P.L. 87–420, 76 Stat. 35). This revised text has been prepared by the U.S. Department of Labor.

[2] Section 2 of the 1962 amendments redesignated former section "3(a)" as section "3".

[3] Section 2 of the 1962 amendments amended paragraph (1) of section 3 by striking out the word "to" after the word "communicated".

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

REPORTS REQUIRED FROM UNION OFFICERS AND EMPLOYEES

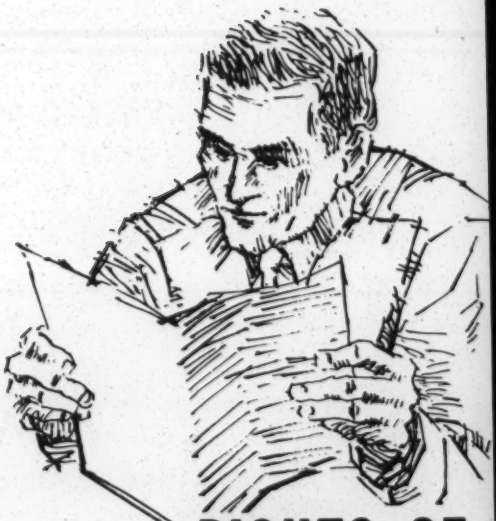
UNITED STATES
DEPARTMENT
OF LABOR
W. Willard Wirtz,
Secretary

Labor Management
Services Administration

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

REPORTS REQUIRED FROM LABOR ORGANIZATIONS

UNITED STATES
DEPARTMENT
OF LABOR
W. Willard Wirtz,
Secretary
Labor Management
Services Administration



RIGHTS OF PENSION PLAN PARTICIPANTS

WELFARE AND PENSION PLANS DISCLOSURE ACT

U. S. DEPARTMENT OF LABOR - W. Willard Wirtz, Secretary
Labor-Management Services Administration

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

WHAT IS REQUIRED UNDER THE LAW

UNITED STATES
DEPARTMENT
OF LABOR
W. Willard Wirtz,
Secretary

LABOR MANAGEMENT
SERVICES ADMINISTRATION

Questions and Answers

ON THE WELFARE AND PENSION PLANS DISCLOSURE ACT

U. S. DEPARTMENT OF LABOR, W. WILLARD WIRTZ, SECRETARY
LABOR-MANAGEMENT SERVICES ADMINISTRATION

FIDELITY BONDING

UNDER THE WELFARE AND PENSION PLANS DISCLOSURE ACT

U. S. DEPARTMENT OF LABOR, W. Willard Wirtz, Secretary • LABOR-MANAGEMENT SERVICES ADMINISTRATION

ECONOMIC REVIEW

PUBLISHED BY AFL-CIO

Vol. I, No. I — January, 1956

NOTICE

This is the first issue of *Labor's Economic Review*. It will be published monthly by the AFL-CIO Department of Research. This publication will be issued in addition to the other regular monthly publication, the *AFL-CIO Collective Bargaining Report*. *Labor's Economic Review* will have two sections: the first 8 pages each month will be devoted to a discussion of one important issue; the last 4 pages will consist of economic notes dealing with important economic trends and developments.

Union Security:

The "Right-to-Work" Controversy

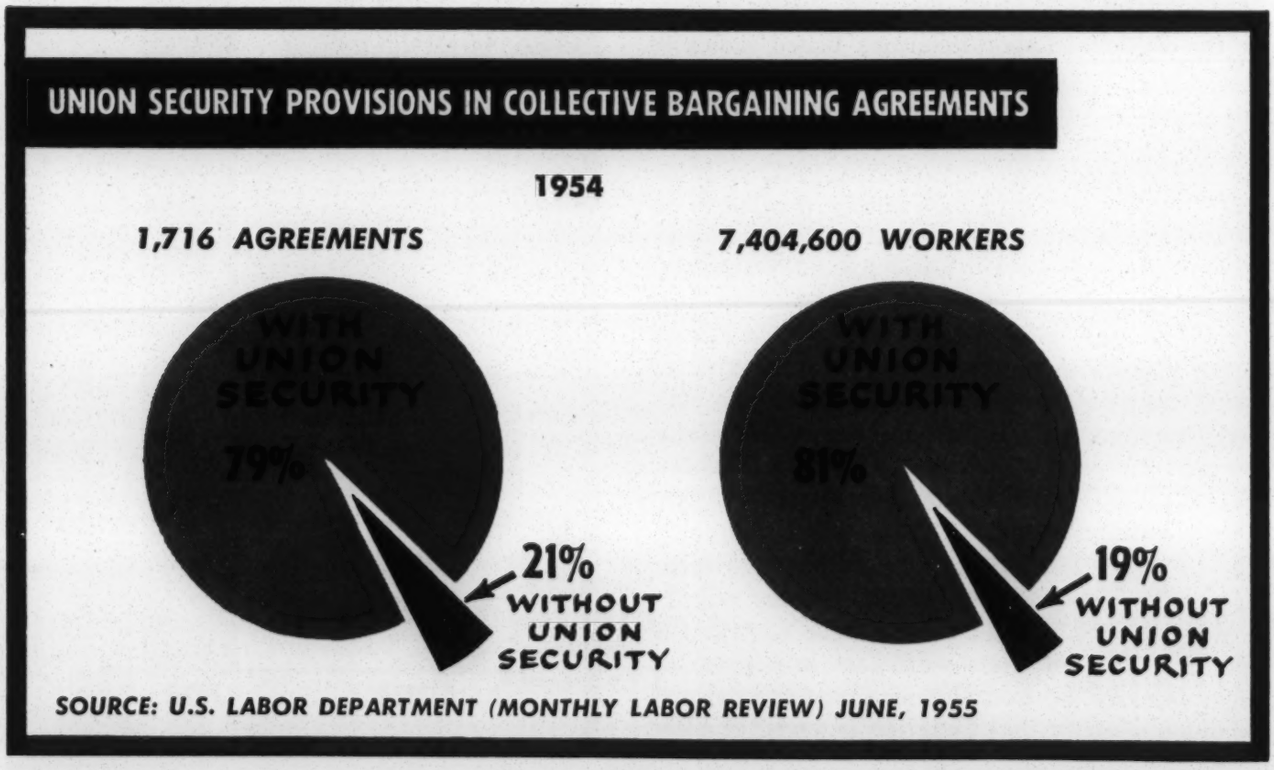
There has been much public discussion in recent years about the closed shop and union shop. There is also a good deal of misunderstanding about the meaning of those terms.

The closed shop and union shop are forms of union security provisions in collective-bargaining agreements. Most of the 125,000 labor-management contracts in the United States contain some type of union security provision. The record shows that the overwhelming majority of American workers in union-organized establishments endorse the idea of union security.

What does union security mean?

Union security refers to a provision in a collective bargaining contract between a union and employer that makes union membership a condition of employment. There are many different varieties and modifications of union-security provisions. In general, they fall into the following categories:

1. Closed Shop—Employees must be members of the union at the time they are hired by the employer and must remain members of the union during the period of their employment.



UNION MEMBERSHIP
As a Condition of Employment

A Statement approved by
The Executive Board of
The Division of Christian Life and Work
The National Council of the Churches
of Christ in the U.S.A.
July 1956

AFL-CIO

EDUCATION NEWS and VIEWS

Vol. 3, NO. 2 FEBRUARY, 1958 TWENTY CENTS

Meeting in Miami Beach, Florida, on February 6, 1958, the AFL-CIO Executive Council called upon the Administration and Congress to meet the recent Soviet challenge by moving "boldly and quickly" in education.

AFL-CIO Calls for Adequate Federal Aid for Schools

"The future of our children and the world they inherit is at stake," emphasized the Council.

The AFL-CIO Executive Council also pointed out that:

"While Sputniks have dramatized our failures, the crisis in education has been with us for years. Every day of further neglect puts us further behind. America cannot afford to wait any longer. At every level, our educational system must be strengthened. No child should be deprived of the best possible educational opportunities because of lack of school facilities, because of lack of qualified teachers, because of financial difficulties or because of racial discrimination."

The Council charged that "the President's proposed budget requests $300 million *less* for all types of educational activities than he requested in his last year's budget—*before* Sputnik."

"This incredible feat—reducing our educational sights in the face of new Soviet challenges—was accomplished simply by dropping completely any recommendations for a school construction program and by substantially curtailing the ten-year-old program of federal assistance to school districts affected by the impact of United States government installations.

"America, of course, needs more scientists and engineers. But we also need better trained diplomats and social scientists and language experts. The total war against tyranny depends upon our children's grasp of the humanities as well as the sciences. But neither the physical nor the social scientists will come from a vacuum. Their college and post-graduate training must be based upon a sound grounding in fundamentals at the primary and secondary levels. Yet, the Administration has abandoned the school construction program—with the prospect looming of a 500,000 classroom shortage within 5 years."

(Continued on page 6)

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Developing Education Programs in Central Labor Bodies

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Five-Page Section On "Right-To-Work"

Five pages of background materials on "right-to-work" appear in this issue of *Education News and Views*. This supplements the material contained in our December, 1957, issue.

Page 8 highlights some of the ways "right-to-work" groups are pushing to pass laws that the *Akron Beacon Journal* said on December 26, 1957, "The purpose of these laws is to weaken unions which already exist and to discourage organization efforts."

The Idaho farm article by Ed Emerine, on page 9, is well worth reading. He indicates that a "right-to-work" law will not help farmers but may hurt them by lowering wages for city workers and having that much less spent on farm products.

On page 10 you will find a comparison of hourly pay in "right-to-work" states with hourly pay in a neighboring state that does not have a "right-to-work" law.

Who Passed the Florida RTW?

It was put through by rural voters in the 1947 referendum. The "right-to-work" bill was defeated in the urban areas, but it carried by such a wide margin in the rural areas that it overcame the "no" vote from the cities. (See page 11.)

Included also in this issue is a summary of the ways in which the Washington State labor movement and a wide variety of community organizations worked to defeat RTW in 1952.

Even Republicans Oppose It!

So successful was the campaign in Washington that this year where another attempt is being made to pass a "right-to-work" law, the Washington Republican State Central Committee, meeting in Yakima on February 1, voted 34 to 24 to oppose the measure. The Democratic Party also opposes it.

What's in a Name?

A lot of trickery when the name is "right-to-work." Several states have refused to allow that name to be used on the ballot on the grounds that it is deceptive and misleading. Try calling it the COMPULSORY OPEN SHOP LAW and many more people will know what you're talking about.

You Have a Job to Do

The materials in the two issues of *Education News and Views* can be used by local union education committees, not only in the local union, but in the community, in educating on the phony "right-to-work" issue.

LABOR'S ECONOMIC REVIEW

PUBLISHED BY AFL-CIO

Vol. 3, No. 6-7 June-July, 1958

In Brief

The vast majority of industries seek areas of growing markets, natural resources and available manpower with the necessary skills—not "right-to-work" laws. The kinds of industry that may be attracted by anti-labor laws are fly-by-night sweatshops and some low-wage, lower priced soft-goods plants that are looking for areas with available unskilled workers. "Right-to-work" laws do not and cannot promote a state's prosperous growth.

"Right-to-Work" Promises—False:

ANTI-LABOR LAWS vs. SOUND ECONOMIC GROWTH

Everyone knows that prosperity goes hand in hand with economic growth. Everyone wants prosperity—for his community, his state, and the nation as a whole.

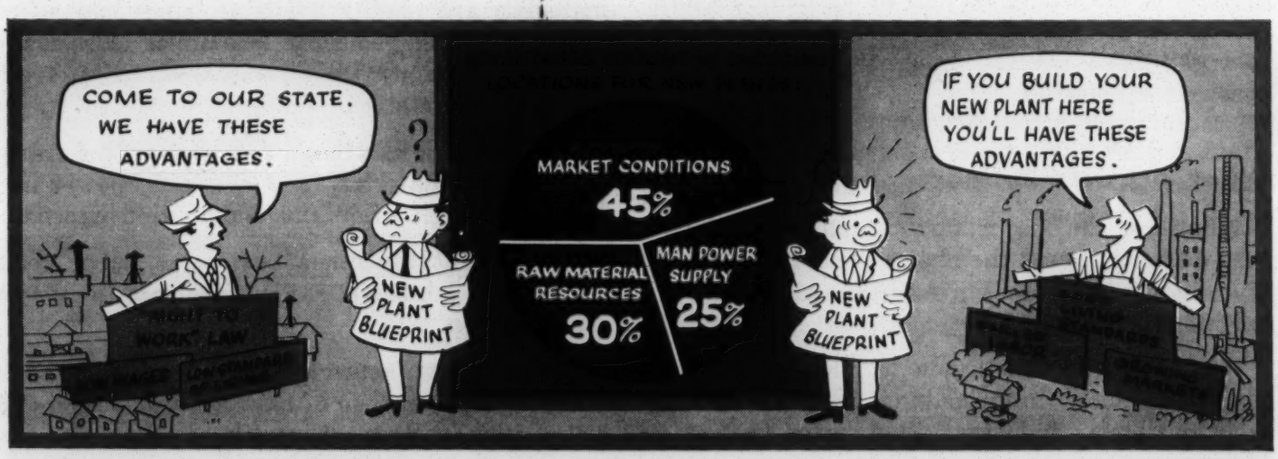
This normal desire for prosperity has been twisted into a weapon by propagandists for anti-union legislation in the states. Since 1944, eighteen states have adopted laws forbidding labor and management to make union security agreements. Under these misnamed "right-to-work" laws, the union shop, maintenance of membership and other union security provisions are illegal.

Along with other confusing and misleading claims, propagandists for "right-to-work" laws have sought to prove that compulsory open-shop legislation will lead to more prosperous conditions in any state. Such laws, they say, attract new industry and stimulate economic growth.

Common sense economics, however, proves the opposite. Community prosperity, as everyone knows, depends on customers, with money to buy products of flourishing business. Attracting new industry depends on available manpower, on labor skills, on resources—both natural and man-made—on transportation, and on the general living and education standards of people in the area.

Low-wage, anti-union laws cannot create any of these attractions. Instead, such legislation can actually hamper improvements in wages, hours and working conditions by weakening union organization and collective bargaining.

"Right-to-work" laws, it is true, may attract some anti-union low-wage companies in soft-goods industries, such as textile and shoe manufacturing. Such companies look for areas with large numbers of unskilled workers who will work for low wages without union conditions.



PAGINATION INCORRECT

A REPORT

to

The Fund

for the Republic

"Right to Work" in Practice

FREDERIC MEYERS

The Anti-Union Warmongers

by Thomas E. Harris

The professional warmongers of the class war, the people who make a rich if not a good living out of exacerbating labor-management relations, have chosen Oklahoma as their next battleground. Having lost five of their last six battles, the "right-to-work" crowd has evidently decided that Oklahoma offers them a favorable terrain.

The character of these people can be judged by their choice of the label, "right-to-work." That is a deliberately misleading term. The proposal has nothing to do with the right to work. It doesn't even involve the right to work without joining a union because the right to work is dependent upon finding employers who will offer a job. There is one government which in its constitution provides for the right to work; there is one constitutional provision in fact which uses that term—maybe that's where the right-to-work publicists got it. This provision reads: "Citizens...have the right to work; that is, the right to guaranteed employment." That is Section 118 of the Constitution of the Union of Socialist Soviet Republics.

This sort of guarantee is, of course, not possible unless the government itself undertakes to provide employment; and in Russia it is accompanied by a drawback. Citizens not only have the right to work; they have the duty to work and at whatever job they are told to do. In this country considerable steps have been taken by the government during the last 30 years to encourage full employment. But our government has never undertaken to guarantee work to everyone; and the "right-to-work" crowd would be the last to advocate it.

The real purpose of "right-to-work" laws is not to give people a right to work but that employers alone, without negotiating with a union, shall decide who is to be hired, who is to be fired and what their wages, hours and other conditions of employment shall be.

Their real purpose is to destroy unions and collective bargaining. This is clear when one looks at the question of why workers want and need unions at all.

Chief Justice Hughes, in a famous case, said: "Long ago we stated the reason for labor organizations. We said that they were organized out of the necessities of the situation; that a single employe was helpless in dealing with an employer; that he was dependent ordinarily on his daily wage for maintenance of himself and family; that, if the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employ and resist arbitrary and unfair treatment; that union was essential to give laborers opportunity to deal on an equality with their employer." [1]

Put less eloquently, workers band together in unions so that by acting together they can increase their bargaining power and get better wages and working conditions and greater personal security and dignity.

THOMAS E. HARRIS is associate general counsel, AFL-CIO. This article is based on an address delivered before the Oklahoma State AFL-CIO convention, held in Tulsa in January.

[1] *NLRB v. Jones & Laughlin Steel Corp., 301 U.S. 1, 33. The quotation is a paraphrase of the language of Chief Justice Taft in American Steel Foundries v. Tri-City Central Trades Council, 257 U.S. 184, 209 (1921).*

A union's bargaining strength and its members' hope of securing better wages and working conditions and of being able to resist arbitrary and unfair treatment by employers depend upon all of the workers involved acting together. Any worker who refuses to join the union weakens it and diminishes the likelihood that his fellow workers shall be able to win better wages and working conditions.

A worker who won't join a union is a potential strikebreaker; a scab. Indeed, the term "scab" originally meant simply a worker who would not join a union. The Oxford English Dictionary still defines "scab" as "a workman who refuses to join an organized movement on behalf of his trade." It was only later that the term "scab" came usually to be used as synonymous with "strikebreaker." So, if the epithet "scab" is used in its original sense these laws may accurately be called "right-to-scab" laws. Even if "scab" is used, as it generally now is, as the equivalent of strikebreaker, the label "right-to-scab" law would not be far off since workers who refuse to join the union of their fellow workers are potential scabs.

The strength of a union depends on what proportion of the workers are loyal to it. In some situations it is impossible for a union to maintain itself without some sort of union security; and in all situations union security gives added strength to a union.

In the construction industry, jobs on each project last only a limited period of time. Building tradesmen cannot possibly maintain a union unless they have some sort of union security agreement with the contractors or unless the unions have a voice in hiring. The same thing is true wherever there is a large turnover among workers, as in restaurants, even though the enterprise itself is permanent.

But the need for union security is not limited to these situations. The National Labor Relations Act makes it an unfair labor practice for an employer to refuse to hire union men just because they are union men. It forbids an employer to discriminate among applicants on this ground. Twenty years ago I argued in the Supreme Court the case which established this interpretation of the National Labor Relations Act. It was the Phelps Dodge case. This was a great victory or at least we thought it was a great victory at the time. But somehow over the last 20 years there have not been many Board cases implementing that decision. Employers who want to discriminate against union men in filling vacancies seem to have found ways of doing it. In a small town or a rural area the people who run the employment office are apt to know whether applicants are union men. Some employers subscribe to services which supply "information" about job applicants. At the least the job application form will require the listing of past employments and the employer will know whether that employment was at a unionized plant or job.

It may be very difficult to prove that an employer is discriminating against union applicants. Thus after a while, depending on the rate of turnover, an employer can, if there is no union security contract, turn a union majority into an anti-union majority. Then his stooges in the plant petition for decertification.

It is surely not a coincidence that the employers who back "right-to-work" laws are employers who are unwilling to deal with unions at all. Employers who recognize unions, and who expect to keep on recognizing them, show little interest in "right-to-work" agitation. That is one reason I say the real purpose of "right-to-work" laws is to destroy unions and collective bargaining.

There is another reason for saying it. It is that the philosophy of right-to-work laws is basically inconsistent with collective bargaining.

There are a number of different labor relations policies which a nation conceivably might adopt, as to where control is vested over such matters as hiring, firing, wages, hours and working conditions.

One possible solution is to leave these matters to the decision of the employer. That is the system which existed everywhere in this country before workers could legally form unions and in general it still prevails where there are no unions. In theory under this system the employer and the individual worker negotiate the terms of employment; but as Chief Justice Hughes explained, the reality is that the worker must accept the employer's terms.

A second possible national labor relations policy is for the state to fix all of the conditions of employment. That is, of course, the system which is followed in the Soviet Union, where the state is the employer; and it is followed in part in several other countries, even with respect to plants which remain under private ownership. It is even followed to a minor degree in this country, by way of minimum wage, child labor laws, etc.

A third possible system is that which in most respects is followed in this country and in Great Britain; that is the system of collective bargaining. Under that system, if a majority of employes in a plant or other unit choose to bargain collectively—and that normally means through a union—the employer must bargain with them and the agreement reached is binding on all the employes in the unit whether they join the union or not and like the contract or not.

This system developed in this country beginning in the middle part of the 19th century and in this century it was adopted by Congress as the national labor relations policy, first with regard to railway labor in 1926 and with regard to industry generally in 1935. This system has great advantages. It gives the workers, if a majority of them so choose, a voice in negotiating their terms of employment. It not only enables workers to obtain better wages and shorter hours but security on the job and enhanced personal dignity. From the standpoint of the employer, the system preserves private ownership and gives him an equal and normally a more than equal voice in determining wages and working conditions. As many employes see it, the long range choice for them is not

between collective bargaining and employer dictation of the terms of employment, but between collective bargaining and state dictation. They prefer collective bargaining.

Even the right-to-work crowd usually profess to believe in collective bargaining; but right-to-work laws are basically and totally inconsistent with it.

Collective bargaining presupposes, and federal law provides, that the bargain made with the employer by the union binds all the employes in the unit. If individual employes, such as those who don't want to join the union or who don't like the particular contract negotiated by the union, are free to make their own deal with the employer that is the end of collective bargaining. If individuals can undercut the union wage to get work, that ends the union wage.

Under a system of collective bargaining, the contract which the union negotiates may determine all the major conditions of the worker's industrial life. It may determine that he gets paid $3.00 an hour instead of $1.25; that he works a 35-hour week instead of a 40-hour week; that he is subject to discharge only for cause, with the right to go to arbitration, instead of subject to discharge at the whim of the foreman; that lay-offs are made according to seniority instead of favoritism; that when he retires he receives a pension instead of being a public charge, etc.

A "right-to-work" law carves out a single exception. Where a "right-to-work" law is in effect, the collective bargaining agreement may control every phase of the worker's industrial life, except that it may not provide that he shall join the union or pay dues to it. As a citizen of the industrial community the worker is still bound by whatever agreement the union negotiates, but the law gives him the option of declining membership and refusing to pay dues. His life as a worker is regulated by the union contract and by law he enjoys whatever benefits the union wins but, like Indians in the old days, he isn't taxed and can't vote.

It is, of course, inconsistent to require that non-members participate equally in whatever gains the union wins, without requiring them to contribute their share of the costs of maintaining the union. That is the so-called "free rider" argument, which persuaded Senator Taft to preserve the union shop in the Taft-Hartley Act. But the inconsistency goes deeper.

As a matter of philosophic consistency, it is not possible to advocate a right-to-work law on the purported ground that compulsory membership violates the freedom of the individual worker and at the same time believe in collective bargaining, which gives the union the power to negotiate a contract regulating every aspect of the worker's industrial life.

A famous employer lawyer, Walter Gordon Merritt, has said that from their standpoint the right-to-work advocates are swallowing the camel and straining at the gnat. The camel is collective bargaining; the gnat is required membership. It is ridiculous, says Mr. Merritt, to vest in the majority of the workers, acting through a union, the power to write a collective bargaining agreement binding on everyone in the plant or on the job and then to say that out of concern for the individual worker's freedom he may not be required to join the union. He is subjected to majority rule as a citizen of the industrial community and it is absurd to exempt him from the responsibilities of citizenship.

Let's approach this from a different angle. The theory of the right-to-work laws is that the individual worker should not be compelled to join a union. But collective bargaining itself puts a worker under compulsion to join the union. The fact that the union will negotiate the contract which regulates the incidents of his industrial life itself puts him under powerful compulsion to join the union, since that is the only way he can have a voice in determining the provisions of the collective agreement. A senior employe who wants the union to forego a wage increase in favor of improved pensions not only has to join the union but to be active in it if he is to have any hope of making his views prevail. That sort of compulsion to join is inherent in collective bargaining.

On approximately that theory the Supreme Court of Louisiana ruled that under the state right-to-work law a collective bargaining agreement could not bind non-members. The court said:

"Would a non-union man's rights be diminished, reduced, curtailed or shortened if a union acted as his agent? We answer that question in the affirmative. There are instances where the union demands higher hourly wages and shorter hours. In order to be gainfully employed to support his family, a non-union man might be willing to make concessions. Liberty of contract is the non-union man's prerogative." [2]

The Louisiana court held, in other words, that the

[2] *Pieqts v. Meat Cutters, Local 437, 81 So. 2nd 835, 228 La. 131, 36 LRRM 2261 (La. Sup. Ct. 1955).*

right not to join a union necessarily carries with it the right to seek work by undercutting union standards. The Louisiana legislature has, incidentally, since repealed the right-to-work law. No disaster has resulted. The state of Louisiana continues to attract industry and to grow.

The Attorney General of South Dakota has also ruled that under that state's "right-to-work" law collective bargaining is not permissible. He said: "You will note that the statute relates not only to the right to work, but also to the free exercise of the right to work. To me this can mean that any agreement which infringes upon the right to work in any of its aspects, whether it relate to the securing employment or whether it relate to bargaining after employment, is a violation of our law." [3]

This ruling is still in effect. The Louisiana court and the South Dakota Attorney General may not be on sound ground as a technical legal matter. But they are, I think, right that the basic philosophy of right-to-work laws is repugnant to collective bargaining and that means repugnant to unionism at all. That is why right-to-work laws are an attack on the very existence of unions.

Right-to-work laws are always promoted on the ground that they will attract out-of-state industry. How? By keeping unions weak and thus keeping wages down. Did you ever hear of anyone who believed in keeping wages down who believed in unions? Unions exist to fight for high wages. Did you ever hear of anyone who believed in unions, but in weak unions? People who believe in unions at all want strong unions. The promoters of right-to-work laws don't believe in unions at all, though some of them sometimes pretend to so that they won't seem to be as reactionary as they are.

Who promotes these right-to-work laws? There is a group of people in Washington, calling themselves the National Right-to-Work Committee, which makes a living out of this form of labor baiting. They have their counterparts in many states.

The concern these people avow for the freedom of workers is barefaced hypocrisy. To collect money and make a living for themselves they are willing and in fact eager to sow discord between labor and capital and at a time when national unity was never more needed. As far as these vultures are concerned, right-to-work laws are simply the carcass on which they feed and if Section 14(b) of Taft-Hartley is ever repealed they will find some other so-called cause on which to batten.

Obviously, however, the great bulk of the people who vote for right-to-work laws are not professional anti-unionists and unquestionably many of them are sincere and decent people. Why then do they vote for these laws?

One main reason is they are nostalgic for a simpler form of society, where people are not so dependent on each other, and on government, as they are these days. Many people look back to an earlier day when, supposedly at least, farmers owned their own small farms and marketed their own crops and a shoemaker made shoes and sold them to his neighbors. These stalwart yeomen and sturdy mechanics were dependent on no man or government or union. Maybe this vision of a Grandma Moses America has room for a small iron foundry where the owner even employs a few workers; but if so, he knows the workers by their first names, pays fairly and they don't need a union.

Some of the people who cherish this atavistic vision of the good life are probably themselves farmers who vote for government acreage controls, receive federal payments and market their crops through farm cooperatives, which enjoy special exemption from the anti-trust laws. Maybe they even irrigate with water from a federal dam, but who is consistent? Some of the people who cherish this vision are probably smalltown merchants who have no idea just how much or how little freedom a worker has in a big unorganized plant.

Anyway, there is not much room for unions in their picture of the ideal society. They are under the impression a worker has more freedom if he makes his own deal with an employer than if he is covered by a collective agreement negotiated by a union. To them compulsory union membership sounds like a grave infraction of individual freedom and it is small wonder they fall for right-to-work propaganda.

Whether fortunately or unfortunately, their concept of the ideal society has nothing to do with the realities of life in an industrial society in 20th century America. It was apparent even to a reactionary Supreme Court as early as 1921 that the worker's supposed freedom to make his own contract with an employer was illusory; and was simply the freedom to accept what the employer offered or go without work. As Justice Douglas said, for a unanimous Supreme Court in 1956: "One would have to be blind to history to assert that trade unionism did not enhance and strengthen the right to work." [4]

In 20th century urban industrialized America the alternative is not between unions and collective bargaining or going back to a simpler society of owner-producers and small businesses. Industrialization will continue at an increasing pace and huge corporations will grow huger. The alternatives are between giving the managers of these great enterprises the right unilaterally to decide what they will pay, who they will lay off, whether they will grant pensions, etc., and according a voice in these decisions to workers acting together in a union. Surely the latter alternative is the more democratic and the one which preserves to workers the greater degree of individual freedom.

It should be clear you are not engaged here in any limited war or minor skirmish. The right-to-work law is an attack upon the whole conception of collective bargaining and trade unionism. You are engaged in a total war. You must win it.

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[3] *43 LRRM 74.*

[4] *Railway Employes' Department v. Hanson, 351 U.S. 231, 235 (1956).*

Political Memo from COPE

COMMITTEE ON POLITICAL EDUCATION, AFL-CIO
815 16th STREET, N.W.
WASHINGTON 6, D. C.

No. 27-62 December 31, 1962

Part 2: The Men, The Money, The Menace . . .

SCRATCH A RIGHT-WINGER AND YOU COME UP WITH AN RTW SUPPORTER

A listing of the right-wing groups and organizations which support the open shop campaign would approach a complete run-down of ultra-conservative groups. Thus, what follows will be a relatively brief treatment of only those groups which have readily apparent, direct ties to the National Right to Work Committee and its affiliates (see Memo, Dec. 17, 1962).

From NRTWC's first chairman, Edwin Dillard, to its present vice president and director of information, Glenn Green, John Birch Society members have always been prominent in the open shop movement in general and the NRTWC in particular. This is most evident at the state level — which is, after all, where support counts — and the pattern in Kansas, where the law was approved in 1958, is typical.

A Washington Post reporter who studied operation of the John Birch Society in Wichita ("under open colors") wrote that **"The leadership of the Birch Society overlaps heavily with the leadership of the organizations that successfully campaigned in 1958 for a right-to-work amendment to the State Constitution."** Two of these leaders, Coleman Company attorney Leonard Banowetz and box manufacturer Robert Love, were principal speakers at NRTWC's National Seminar in Chicago in 1961.

TOGETHERNESS

That the open-shop crowd is closely integrated with right-wing extremists was proved conclusively last April. Representatives of the National Right to Work Committee were included at a convention of rightist groups, among them the **John Birch Society, National Indignation Convention, Young Americans for Freedom, Liberty Lobby, For America, We the People, the American Coalition of Patriotic Societies.**

In terms of the links with employer groups at the local level it is also significant that Banowetz, a JBS field coordinator, is **chairman of the Kansas State Chamber of Commerce's Labor Relation's Committee** and Love, a member of the JBS National Council, was for five years a **director of the National Association of Manufacturers.**

Others in the Wichita Birch Society who were active in the open shop fight in Kansas were Rock Island Oil and Refining Co. president Fred Koch, lawyers Kenneth Myers and

Thomas Woods, and personnel executive John Jury who, as noted in the last issue of the Memo, is a member of the Chamber of Commerce's Special Committee on Voluntary Unionism.

Still another John Birch Society member who appeared on the platform at NRTWC's 1961 seminar was S. Rayburn Watkins, managing director of the NAM affiliate in Kentucky, Associated Industries of Kentucky. Similarly, for the principal speaker at its 1960 board meeting, NRTWC chose **ex-Rep. Wint Smith (R.-Kan.), a 1961 endorser of the John Birch Society.**

Other leaders of the John Birch Society who have also been active in state "right-to-work" movements include F. Gano Chance of Missouri (a JBS Council member), James L. Doenges of Indiana (a JBS endorser), and Louis Ruthenberg of Indiana (a JBS Council member).

There are undoubtedly other overlaps with the John Birch Society, especially at the level of state "right-to-work" campaigns, but the above cover known public identifications.

OTHER NRTWC ALLIES: A ROSTER OF REACTION

American Enterprise Association: Organized in 1943 by a group of "industrial leaders" as a "nonpartisan research organization which examines the implications of current and prospective legislative proposals." States as its goal "to preserve the American principles of competitive enterprise and constitutional government."

Labor relations and unions are consistently a subject of AEA attention with a study in the field published at a rate of about one each year. Since 1955 these have included: **Three Taft-Hartley Issues** by Theodore Iserman, a member of the NAM Center for the Study of Union Power; **Involuntary Participation in Unions** by Philip Bradley, a contributor to one of the Chamber of Commerce booklets on "right-to-work"; **Legal Immunities of Labor Unions** by Roscoe Pound, who was formerly affiliated with the right wing Committee of Endorsers and its successor group, the Citizens Foreign Relations Committee; **Economic Analysis of Labor Union Power** by Edward Chamberlin, which concludes that "union power should be restricted"; **Labor Unions and the Concept of Public Service** by Roscoe Pound; and **Unionism Reappraised** by Goetz Briefs.

NRTWC reprinted excerpts from the last in pamphlet form. In addition to Iserman, four of the six "professor" members of the NAM's new Center for the Study of Union Power—Gottfried Haberler, James McKie, William Peterson and David McCord Wright—have all written at least one study for the American Enterprise Association.

Christian Crusade: Rev. Billy James Hargis, leader of this organization, has expressed himself clearly on the open shop issue, "The question involved in 'Right to Work Laws' is very simple and basic. It is the question as to whether or not an American citizen has a right to work at a job upon which he and his employer agree **without being forced to join a union and pay tribute to union bosses to whom he is morally opposed."**

As noted previously, NRTWC board member Frederick C. Fowler has been a featured member of the Hargis "faculty" on at least two occasions this year. In addition, Hargis' National Advisory Committee includes F. Gano Chance, Fred Koch and former Rep. Wint Smith, all mentioned earlier in connection with NRTWC's ties to the John Birch Society.

Christian Freedom Foundation: Howard Kershner's organization, which publishes **Christian Economics,** counts **two current NRTWC board members and one former board member among its directors.** At least two more of Christian Freedom Foundation's directors are affiliated with state right-to-work organizations: Rev. Vernelle Dyer of Maine Citizens for Right to Work and Rev. William S. Wise of Pennsylvanians for the Right to Work.

Committee for Constitutional Government: A 1961 issue of CCG's **Spotlight** carried an article by Reed Larson, NRTWC executive VP, urging support of Section 14(b) of the Taft-Hartley Act, which authorizes state scab laws. (See Political Memo Dec. 17, 1962.)

Kent and Phoebe Courtney: The Courtneys, who publish the extremist **The Independent American** and run the way-out Conservative Society of America, have featured NRTWC leadership at their national meeting in both 1959 (President William T. Harrison) and 1961 (Vice-President L. A. Hooser). At the 1959 meeting, Kent Courtney presided over a panel discussion made up of Harrison, J. C. Laney, Wells T. Lovett and Robert Love, all representing NRTWC. The tape recording of the discussion ran to two hours in length and was offered for sale by The Independent American for $14. David Molthrop, who has been extremely active in the open shop movement at the state level, has been a regular feature of Courtney meetings.

De Mille Foundation for Political Freedom: Operations of this organization in "support of state right-to-work campaigns" have been referred to by NRTWC's former President Harrison in his book. Cecil B. De Mille, late film producer, was an active RTW promoter.

Heritage Foundation: In addition to publishing **The Case for Right-to-Work Laws,** by former NRTWC board member Fr. Edward Keller, Heritage Foundation in Chicago has published three pamphlets by Birch Society endorser Fr. Ferdinand Falque, one titled "The True Purpose of Right-to-Work Laws." The Heritage Foundation is now located in Independence Hall of Chicago, the office building of Cook County Federal Savings, the president of which, Sidney L. DeLove, is author of **The Quiet Betrayal,** an attack on our schools as having "forced Americanism out of the classroom to make way for temporary trivialities" and having accepted "the pagan philosophy of an all-powerful State whose citizens . . . are mere chattels. . . ."

Human Events: NRTWC board member Fr. John E. Coogan is a frequent contributor to **Human Events,** including a full-page article in their recent special issue on "The Labor Monopoly." Another NRTWC staff member who has written for **Human Events** is former associate counsel Warren Richardson. NRTWC President Duke Cadwallader and Executive Vice-President Reed Larson were both "early registrants" for this year's Human Events Political Action Conference.

Labor Policy Association: Organized in 1957 to "make and to encourage researches and studies pertaining to government policies affecting labor and labor relations." Labor Policy Association is headed by William Ingles, who was previously associated with the Organization for the Repeal of Federal Income Taxes. The Labor Policy Association published (1958) Ingles' book, **"The Right-to-Work Handbook,"** which cites various NRTWC publications with approval.

Manion Forum: While NRTWC and Manion Forum are to some extent "competitors" in the open shop movement—each seeking financial support to carry on the battle—they sometimes cooperate. NRTWC figures who have appeared on the Manion Forum broadcasts include

Donald R. Richberg (1957), Rev. Edward Greenfield (1958), Edwin S. Dillard (1959) and Reed Larson (1962). Other "right-to-work" figures who have appeared include former Senator William F. Knowland, former Indiana Governor Harold W. Handley, Wisconsin manufacturer Herbert Kohler and Fr. Ferdinand Falque. As indicated earlier, two NRTWC directors—Edwin Dillard and Eugene Germany—are also endorsers of the Manion Forum.

National Labor-Management Foundation: Its founder, Maurice Franks, is a former director of NRTWC. In addition, eight other directors or former directors of NRTWC have been affiliated with the Franks organization, including former President William T. Harrison.

National Right-to-Work Federation: Organized in 1946 by a group which included Florida Attorney-General Tom Watson and Norman Zolezzi of Indianapolis, Ind., editor and publisher since 1927 of a monthly called **Labor Digest.** After Watson's death, national headquarters of the Federation was moved to Indianapolis and Labor Digest became its official publication. After Norman Zolezzi's death in February 1959, editorship of Labor Digest was taken over by the former associate editor, Allston Calhoun.

In addition to the monthly newspaper, a radio program titled "Americanism Preferred" features Mr. Calhoun and is evidently carried primarily in southern states. Despite the close similarity in names there is no readily apparent connection between NRTWC and the Federation. However, a recent issue of Labor Digest does carry two items—one on the survey by Opinion Research Corp. for NRTWC and one on the activities of Pennsylvanians for the Right to Work—which are taken verbatim from the NRTWC Newsletter (but without credit).

Young Americans for Freedom: In addition to former NRTWC board member Fr. Edward Keller, YAF, the **Goldwater** "student" group organized by William Buckley and Marvin Liebman, has on its national advisory board such "right-to-work" proponents as V. Raymond Edman, Herbert V. Kohler, Reginald Lang, and E. Merrill Root. It is also noteworthy that an article in YAF's magazine, New Guard, by its managing editor, Carol Bauman, utilized information provided by NRTWC.

THAT OLD GANG OF MINE

Defeated ultra-conservative Rep. John Rousselot (Calif.) found a job right away. From just plain representative, he's jumped to governor now . . . **district governor, that is, for the John Birch Society in six western states.**

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Labor Law – Rt to Work

The AFL-CIO Case For Repeal of 14(b)

by George Meany

Rt to work.

Civil Rights Act of 1964, Title VII complaints

reported by EEOC as of 11-11-65

States with "Right-to-work" laws

State	Number of Complaints
Alabama	135
Arizona	1
Arkansas	12
Florida	11
Georgia	33
Iowa	53
Kansas	8
Mississippi	68
Nebraska	2
Nevada	--
North Carolina	131
North Dakota	--
South Carolina	51
South Dakota	--
Tennessee	52
Texas	62
Utah	--
Virginia	45
Wyoming	1

Complaints from these 19 states total 665; total complaints received by EEOC total 966 (on date noted above); the above listed states account for 69 % of all EEOC complaints.

What about EEOC

Jami:
Compare states with most EEOC (Title 7 discrimination) complaints with states having right to work laws.
The number of complaints should show in the BNA reports.

Labor Law — Rt to Wk.

Repeal Would 'Injure' Negro

ROBERTSON ON 14B

By JOHN I. BROOKS

By Virginian-Pilot Washington Writer

WASHINGTON—Sen. A. Willis Robertson, D-Va., struck a chord not heard before from a Virginian during his turn on the Senate floor Thursday in the filibuster against repeal of section 14B of the Taft-Hartley Act.

Repeal, he said, would weaken the position of Negro workers.

Robertson charged that many unions long have discriminated against Negroes. Repeal of 14B, which permits states to enact right-to-work laws banning the closed shop, would permit these unions to close job opportunities to Negroes by denying them union membership, he said.

Virginia is one of 19 states which have right-to-work laws. In states having no such laws, unions may negotiate contracts requiring employes to be union members.

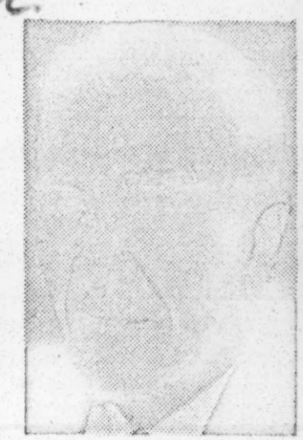
The 14B filibuster began shortly after the Senate convened. Robertson has spoken twice against repeal. Tuesday the Senate will vote on a motion by Majority Leader Mike Mansfield to invoke cloture (shut off debate) on the issue. Mansfield's motion needs a two-thirds majority to carry.

Robertson's assault on repeal as injurious to Negro workers comes in a year when he faces primary and general election opposition in his bid for re-election. The large and growing Negro vote in the state will be in full force in both elections, because the 24th Amendment to the Constitution bans the poll tax as a prerequisite to voting for federal offices.

Discrimination in labor unions, particularly in the construction trades, is "commonplace," Robertson said in his speech last week.

The senator quoted from a 1961 Civil Rights Commission report which stated that craft unions, when they discriminate against Negroes, "do so primarily by membership restrictions or other internal practices." Some industrial unions also practice discrimination, the commission said, through collective bargaining which in effect prevents Negroes from achieving equal employment opportunity.

Congress tried to remedy the situation with Title 7 of the 1964 Civil Rights Act, Robertson said, but a dispute over its application "threatens to emasculate" this provision of the law.



Sen. Robertson

Robertson said that while the labor-management relations act prohibits an employer from firing a worker in a closed-shop plant if he has reason to believe that union membership was denied the employe on a discriminatory basis, it is hard for an employer to determine why any individual worker has been refused admission to a union.

The senator concluded his review of recent legislation with the observation that its effectiveness in preventing discrimination "remains undemonstrated."

"Only in the 19 states having right-to-work laws is the Negro worker free from agreements and practices entered into between unions and employers to prevent him from achieving equal opportunity in employment," the Virginian declared.

Emory —
Thought perhaps you might be interested in this
Esther

1966

Labor Law — Right to Work

(Not printed at Government expense)

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

The Repeal of Section 14(b)—Fact or Fiction?

SPEECH

OF

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Friday, January 28, 1966

Mr. MORSE. Mr. President, before I proceed with the speech on the substantive merits of the bill for the repeal of section 14(b), as I see them, I wish to say that I know very well that the substantive issue is not before the Senate, but rather the procedural issue of whether the bill should be taken up as the pending business of the Senate is before the Senate.

Yet for the past several days the opponents of the bill have been making their speeches setting forth their objections to the bill so far as the substance is concerned.

For the most part, the only thing that has been going out to the country has been attacks upon the bill by its opponents. For a time the position of the supporters of the repeal bill was that we should not be making any speeches in support of the repeal until it was made the pending business of the Senate. That was also based upon a preliminary assumption that the bill might get before the Senate at an early date. That, of course, has vanished in thin parliamentary air.

Yesterday I was called into conference with representatives of the proponents of the bill and representatives of the administration. It was decided at that conference that at least one speech ought to be made this week that would express some of the major arguments of the proponents of the repealer bill.

I proceed now to make that speech, which presents in part some of the reasons of the administration supporting the repeal and some reasons why the majority—and I am sure we are a majority in the Senate—support the repeal.

Therefore, I wish to present today to the Senate the real story, as I see it—the demonstrable facts, as I see them, a story which in recent years has been distorted, misrepresented, and lied about in the public press, on the television and radio, and in almost every forum where citizens gather to discuss the repeal of section 14(b).

THE REPEAL OF SECTION 14(B)—FACT OR FICTION?

What is being said and written about the proposal to repeal section 14(b) of the Taft-Hartley Act—including some of the mail from my own constituents—calls to mind what Macbeth called a horrible shadow and an unreal mockery.

In these remarks, Mr. President, I hope to be more successful than Macbeth, for the horrible shadow, the unreal mockery, conjured up by the opponents of 14(b) repeal has far less relation to reality than Banquo's ghost; and more importantly, in this case the weight of conscience is reversed.

Let me begin with a simple, positive statement describing what the repeal of section 14(b) will actually do—what changes will take place in the law, in the process of collective bargaining, and in the obligation of workers to become union members.

The repeal of 14(b) will apply the Federal law governing union security agreements, which authorizes the union shop, to all 50 States, instead of to 31 of them. It will negate—though it will not repeal—so-called right-to-work laws that now exist, under authorization granted by section 14(b), in the other 19 States. As a result, in those 19 States, union-organized workers will have the legal right to ask for a union shop if they want to, to negotiate with their employer on the subject, and sign such a contract if the employer agrees to it.

In other words, workers, unions, and employers in those 19 States will then have the same rights and the same option that their counterparts now enjoy in the rest of the country. Their freedom will be greater, not less. The obligation of workers to become union members will be increased, in these 19 States, only to the extent that the workers themselves, by their collective decision, choose to increase it, subject to the agreement of their employer.

That is all there is to it; that is the substance from which these spectral shadows have been fabricated. Note that this simple enactment will have no effect upon labor-management relations or union membership in the State of Oregon, nor will it have such an effect in the State of the distinguished minority leader, the junior Senator from Illinois—even though he is leading the defense of 14(b) with his unequaled parliamentary skill, his matchless eloquence, and his unflagging determination.

In only 19 States, then, will the repeal of section 14(b) have any direct effect, and in those 19—with one minor exception—the effect will be nothing more than the restoration of the freedom of all concerned to make their own choices, to come to their own, voluntary agreements, the same freedom that is now enjoyed in Oregon, in Illinois, and in 29 other States of the Union.

I said there was a minor exception. It is indeed minor, and I mention it only to make sure that the case I am presenting will be totally secure from attack on factual grounds. The exception applies to certain contracts negotiated with nationwide companies by nationwide unions, which provide for a union shop in every State where the union shop is presently legal, and which further provides that organized units of the company in other States, where the union shop is now outlawed, shall come under the union shop clause as soon as it is legally possible. For example, the General Motors Corp. has such a master contract with the United Automobile Workers;

and when section 14(b) is repealed, any General Motors workers in organized plants in the 19 right-to-work States who, until then, accepted union benefits as free riders, will be required to pay the same dues as their fellow workers. In these few instances there will be instant compulsion; but I shall deal with that whole concept later in these remarks.

However, with this exception, repeal itself will enforce union membership on no one.

Those are the facts, Mr. President, but they are shamelessly perverted by the enemies of labor into the horrible shadow and the unreal mockery of a society dominated by some sinister conspiracy of trade union autocrats. The concept is laughable by any reasonable judgment; but we cannot afford to laugh at it, for it is believed by too many good souls who are both credulous and uninformed.

MISCONCEPTIONS ABOUT REPEAL OF 14(b)

Let us look at just a few of these perversions, these horrible shadows which are mockeries of the truth.

The most innocent of them, perhaps, is the charge that the repeal of section 14(b) would "legalize the union shop and make compulsory unionism the law of the land." You can find this one in newspapers whose own employees have been covered by union shop agreements for two generations or more, and who would not have it any other way. Their own editors and publishers have voluntarily entered into union shop agreements because they have decided that such agreements would provide them with a better labor force.

The sober truth is that union membership has been a condition of employment in some trades for more years than any of us have been alive; and that the union shop, a very modest form of union security, was specifically authorized by the Taft-Hartley Act itself, at the instance of our late colleague, Senator Taft of Ohio.

The extirpation of section 14(b) cannot legalize what is already legal; it will simply extend the legalization to all States, not merely 31 of them.

Now the nightmares become more fevered. Repeal of section 14(b), we are told, will "force millions of workers into unions they do not want." This apparition, like the amoeba, divides into a number of parts.

There is the implication that workers do not really want to be a part of a union, but are somehow tricked or bullied into the clutches of the union, from which they yearn to be liberated. Many Senators may remember, Mr. President, that this view was widely held by sincere Members of Congress at the time that the Taft-Hartley Act was under consideration. Indeed, it was so widely held that the Taft-Hartley Act, as originally enacted, included a requirement that a special election had to be conducted by the National Labor Relations Board, with all the ceremony and safeguards of other board elections, before a union could so much as ask for union shop in the bargaining that was impending.

From August 1947, to October 1951, the NLRB conducted 46,119 of these elections, in which the only question was whether or not the workers wanted a union shop. In 44,795 of these elections—97.1 percent—the union shop was authorized. Some 6 million votes were cast in the elections; more than 5½ million workers, or 91 percent, favored the union shop.

This was highly embarrassing to those who had talked about "captive members." It was even more embarrassing, at times, to employers who had resisted the union shop, who did not want to grant the union shop, but were faced with a vote—which spokesmen for the union naturally emphasized—showing that the workers themselves, in overwhelming numbers, wanted a union shop.

The combination of these twin embarrassments led to the quiet repeal of union shop authorization elections. The truth was too hard to take. In one sense, Mr. President, it might be argued that the elimination of this provision was unfortunate, even though I am not suggesting that it should be reinstated. I voted for its elimination. It was costly, and it was wasteful. It demonstrated, however, by its results that democratic processes prevailed in the labor movement, and that the workers themselves, by an overwhelming majority—91-plus percent—voted for the union shop. The elimination was unfortunate because the provision, while it lasted, exposed as a mammoth fraud the proposition that millions of union members were aching for an opportunity to escape.

That proposition is further refuted when we examine the fate of so-called right-to-work laws when they have been placed before the voters as a whole. Since 1958 there have been seven statewide referendums on this question. In six of the seven States—California, Colorado, Idaho, Ohio, Oklahoma, and Washington—right-to-work was defeated. In only one, Kansas, did it narrowly prevail.

Even more significant, it seems to me, is that so-called right-to-work has flourished most where union members are fewest. If these all-powerful unions we hear about have dragooned so many workers into membership against their will, so that they feel hopeless and friendless and afraid, why do they not stage a revolt at the polls?

The answer is simple enough to anyone who is not so blinded by his own preconceptions that he is unable to recognize the truth.

Just last week, on January 19, the U.S. Department of Labor released a new report on union membership by States. It showed, among other things, that the percentage of union membership in right-to-work States was about half the rate in the other States. To put it another way, the so-called liberation movement for organized workers is most popular where there are the fewest organized workers to be liberated.

But the propagandists for section 14(b) go far beyond concern for the organized. They would have the public believe that repeal would mean the enforcement of a union shop on every worker in every enterprise everywhere in America.

Such a contention is completely baseless. It is false. Any suggestion that repeal of section 14(b) would clap a union shop on every enterprise is just that: it is false; it is pure fabrication.

First, as to technicalities. The repeal of section 14(b) will leave undisturbed any right-to-work law in its application to intrastate commerce, or its application to enterprises in those gray areas of interstate commerce where the NLRB does not take jurisdiction. I stress this point because I understand that many of my distinguished colleagues have been receiving letters from Main Street merchants, expressing concern at the prospect of repeal. No genuinely small business will in any way be affected, except for the possibility that their customers may have more money to spend. The shoeshine stand, the "mom and pop" store, are exempt from coverage under the National Labor Relations Act, whether section 14(b) is in it or not.

I stress that the application would be only to interstate commerce business. If business X fell within the interstate commerce clause of the Constitution, it would be covered, and it should be covered. As I shall point out later in this speech, as a matter of constitutional policy every worker and every employer from coast to coast should have the same application of the Constitution of the United States

to his business and to his work as is applied elsewhere.

As the Senate knows, for 20 years I have stood in this body in opposition to a segmentizing of the Constitution. I do not believe in having Congress delegate Federal powers to the States, because such delegation results in a lack of uniformity in the application of the Constitution to all citizens who fall under the same sets of operative facts.

Those who are now objecting to the repeal of section 14(b) are also seeking to continue a segmentizing of the interstate commerce clause. The labor leaders of America recognize that we must have this repeal if we are to have a uniform application of the Constitution of this country to all workers and all employers from east to west and from north to south.

I cannot emphasize too strongly the argument I have just made, for it is basic to the approach of the senior Senator from Oregon to labor legislation. I believe in uniform application of the law, not special treatment. I do not believe in discriminatory practices, nor in throwing to State courts and State legislatures the rights of free men and women in this country which are protected by the Federal interstate commerce clause.

The controlling, operative fact in this situation involves the question: "Is this shop, this plant, this employment, in interstate commerce?" If it is, in my judgment the answer is clear. There must not be one rule for the workers in that plant and another rule for the workers in another interstate commerce plant.

Therefore I say that the argument for retaining 14(b), made by the proponents, that it would result in the imposition of a union shop on a "mom's" or "pop's" popcorn stand, or a shoeshine parlor, or on any other business engaged in intrastate commerce is not so. The opponents of repeal cannot make it so by repeating the misstatement over and over again. They may fool some people by repeating it, but the repetition of a misstatement, no matter how many times it is made, does not turn it into the truth.

Second, and vastly more important, the simple repeal of this one deviation in the otherwise uniform Federal labor-management statute will not force a union shop—or union organization—upon any enterprise. In order for there to be a union at all, the workers must first want one, and confirm their desire through a secret ballot election or such other device, equally even handed, as the labor board may prescribe. If the union prevails and is certified as bargaining agent for all the workers, the members must next decide whether they want a union shop. If they do, they must obtain agreement from the employer to that effect.

But even then, having achieved the ultimate that is possible under the law, what do they really have? They have a contract which says that every present employee, and all new employees, must become members of the union within a given period, usually 60 days. Yet this is not really so; for the union cannot cause the dismissal of any worker who refuses to join the union, as long as he is willing to pay the initiation fee and dues—which by law must be uniform and reasonable—that are paid by members. In short, all a union can demand from any worker is that he pay his fair share of the costs of the union which, by law, is required to represent him and defend his interests.

THE CONSCIENCE AMENDMENT

Even here there is another exception. The pending bill includes my amendment providing a further exemption from bona fide religious objectors—those whose genuine religious convictions or scruples are a barrier, not only to membership in a secular organization, but to making contributions to its support. They may instead make equal contributions to a bona fide charity designated by the union.

The Senate knows that I worked out a Morse amendment in subcommittee and then in full committee, and that the Morse amendment comes to the floor of the Senate with a unanimous report from the Committee on Labor and Public Welfare, Republicans and Democrats alike.

These charities are charities that are covered by the internal revenue laws, and are recognized by our Federal tax laws to be charities that permit tax deductions to be properly taken. Also I was very careful to insist that religious charities be excluded. For the internal revenue law, as we all know, includes a good many religious charities. I took the position that I did not think any justification could be given for the selection of a religious charity; that I thought that the charity designated by the union would have to be a nonreligious charity.

My amendment provides further that in case some difference of opinion develops between the conscientious objector and the union, an opportunity should be afforded to negotiate an agreement whereby the equivalent of the dues and the initiation fee shall be paid to some other organization.

But it does mean, Mr. President, that the union shall have the final word in determining to what charity the dues and initiation fees shall be paid. Why not? Do not forget that it is the union that pays the cost of the collective bargaining agreement. Do not forget that it is the union, in the negotiations with the employer, which brings forth the agreement enjoyed by all the workers, insofar as benefits are concerned, in respect to wages, hours, and conditions of employment.

Mr. President, no one has to work in shop X, but if one is going to work in shop X, he certainly should not be exempt from paying his fair share of the cost of negotiating the collective agreement covering shop X. In other words, my amendment would eliminate the free rider; and I am surprised at the attitude of some who think that a worker is entitled to take a free ride at the expense of the union. Mr. President, he can work elsewhere if he does not wish to carry his fair share of the burden of paying for the cost of obtaining the collective-bargaining agreement.

Do not overlook the safeguards that workers have under the procedures of the Federal law, starting with the National Labor Relations Board, if unfair labor practices are engaged in by the officials of the union. It is foolish to assume that the workers are at the mercy of the union, without any legal protections whatsoever. A list of cases as long as my arm shows that workers, when they have a case of unfair labor practices, can be protected against such practices.

As I have said, this is by no means the end of the line. Workers who are covered by a union shop contract can change their minds. There is an established labor board procedure under which a petition can be filed for an election to deauthorize the union shop; if a majority so votes, the union shop is voided, leaving other terms of the contract undisturbed. Thus it is entirely possible for workers who are now in a union shop, who want to retain the benefits of union conditions, but who want to abolish the membership requirement, to do exactly that, through the mechanics of the National Labor Relations Board. This is in addition to the parallel process, better known but also ignored by the mythmakers, under which workers can decertify the union itself, if they so desire. In practice, the first of these procedures is seldom invoked, and the second is a rarity; for as demonstrated by the evidence I have already presented, workers employed under union shop contracts like it that way.

These workers are unaware that they are in the clutches of power-hungry labor bosses, as my opponents are so prone to allege, who are supposed to order them around like so many puppets, denying them the right to control their own affairs. They are unaware of this because it is not so; it is another horrible shadow, another unreal mockery, summoned from the depths of distorted imagination. I do not maintain, Mr. President, that there are not occasional abuses of the democratic process within the labor movement, just as there are in business and in elections to public office; but they are few, and they are subject to many—and effective—remedies.

I speak as one who has written majority opinions calling to task labor leaders who have sought to follow routes of abuse. When I was on the National War Labor Board, there were a few such cases, and we never hesitated to correct the wrongs. I say to the everlasting credit of the National Labor Relations Board that it has a fine record of proceeding to the defense of workers who are, on any basis whatever, wronged by their union leaders. But those cases are few, Mr. President, when we consider the thousands of collective bargaining agreements in which dedicated union officials have sought to carry out necessary protection to the legitimate rights of their fellow union members, through the process of free collective bargaining.

Nearly all national unions have established detailed regulations to insure free, democratic elections, with an appeals procedure, sometimes terminating in review by an outside umpire. All AFL-CIO unions, and they make up the overwhelming majority, are governed by the federation's ethical practices codes, which include a comprehensive statement of the democratic processes which each affiliated organization must follow. And for those cynics who question that the words of these trade union laws are followed in good faith, there is the Landrum-Griffin Act, which makes union democracy a matter of law, enforceable in the courts.

I want to emphasize, Mr. President, that all these dark and dire imputations about democracy in unions come with ill grace from those whose own democratic credentials are far from impressive. I have been a close observer of the American labor movement for several decades as a mediator, as a member of the War Labor Board, as a public official, and as an arbitrator, and as an interested citizen. And I say that there is no comparable segment of American economic life in which integrity, idealism, devotion to principle and concern for the tenets of democracy is so paramount—not only in the words of ethical practices codes, which are unmatched by any business organization either in what they say or the diligence with which they are enforced, but also in sincere dedication to the concepts those codes express. I am tired of the incessant harangues about union bosses, with all their implication of dictatorship, when in truth the supposed bosses are in nearly every case honorable men, freely elected to leadership by the workers they represent.

There are many more myths that need exposure, many more horrible shadows to exorcise, but I shall deal with only one more—one which has aroused public expressions of concern from some of my able colleagues who have consistently sought to place further restraints on unions, to render them powerless or eliminate them entirely. This is the myth about the gigantic political slush fund that will accrue to unions when section 14(b) is repealed. I have seen one editorial which arrived at a monthly figure for this fund by multiplying the number of unorganized workers by $5.

As I have already pointed out at some length, the repeal of section 14(b) will not enforce union organization upon any establishment or any group of workers. But beyond that, the mythmakers totally ignore the legal limitations to the use of union funds for political purposes; and they ignore the further fact that the great bulk of union income—a sum which is itself vastly exaggerated—must by necessity be spent on conducting the affairs of the union. The gigantic political slush fund argument is simply without foundation.

QUESTION OF COMPULSION

Now let me return to the matter of compulsion; for it is unquestionably true that the union shop does compel some unwilling workers to pay reasonable initiation fees and dues, perhaps against their will, in order to hold their jobs. It is probably true that the number will increase when the union shop is extended to the 19 States that now prohibit it, even though this will remain a matter of voluntary agreement between unions and employers.

This, we are told by the opponents of repeal, is an un-American infringement upon individual rights; no one, we are told, should have to pay tribute to a union in order to keep a job; and even the issue of civil rights is raised in this connection.

Mr. President, I yield to no one in this Chamber, or outside it, in my devotion to the rights of the individual, to the civil rights of all Americans, and to individualism itself. If the union shop threatened these basic rights, I would oppose it, but it does not.

It must be understood that contrary to the shadow world concocted by the mythmakers, the genesis of any union is the desire of the workers to join together for purposes of collective bargaining, to increase their ability to deal with their employer, to obtain better wages and working conditions, to win security against arbitrary discipline or dismissal, to enhance their opportunities for advancement. The desire must be there, and it must be confirmed by a secret-ballot vote, or in a few instances a comparable procedure, conducted under the auspices of the Federal Government.

If a majority of the workers vote for union organization, the union is certified by the Government as bargaining agent—not merely for its supporters, not merely for those who voluntarily enroll, but for every worker in the unit in which the vote was taken. Thus, the Federal Government places upon the union a responsibility, which cannot be evaded and which can be enforced, if necessary, by the National Labor Relations Board and by the courts.

Under these circumstances, it is not unreasonable to expect that the majority of the workers, who created the union, should want all who benefit from the union to pay their fair share of the costs, which is all that a union shop requires. Yes, this is compulsion; but it is the kind of compulsion each of us takes for granted in many aspects of our lives, the kind of compulsion that is essential to the conduct of a free society, for the alternative is anarchy. All of us must pay taxes to support programs we personally do not need, and some we do not want; not only Federal taxes, but State and local taxes as well. The pacifist must pay to support the war, the childless must pay to support the schools—the examples are endless. Perhaps the closest analogy, though it is not an original one, is the householder who opposes a paid fire department. He has to pay his share of the cost, and the fire department must protect him whether he likes it or not.

It is argued that no private oganization—no union—should have the power to tax, or its equivalent. But this private organization, this union, is carrying out a function specifically assigned to it by government, and surely has a right to establish a reasonable way of raising the

funds it requires to carry on that function, to fulfill that assignment.

Nor is this so-called right to tax extended only to unions of wage earners. In many States, many States that now forbid the union shop, no lawyer can practice unless he is a member in good standing in the bar association which is, of course, naught but a union shop.

In actual operation, a worker's involvement with the union is much broader than any of the examples I have mentioned. The union contract governs every aspect of his working life, and affects much of his outside life as well. The contract determines his holidays and vacations; it provides how much insurance protection he and his family get; it establishes how much pension he can expect on his retirement; it provides union handling of his grievances, his on-the-job difficulties, and much more. In a sense, the worker is a citizen of the union as he is a citizen of the Nation, entitled to the equal enjoyment of its benefits and the equal protection of its laws. All a union shop provides is that each union citizen should be a taxpayer, too.

No, Mr. President, the compulsion argument does not hold up; it does not hold up in itself, and it wholly vanishes in the light of the many precautions which assure the rights of workers under union shop contracts—deauthorization, decertification and the guarantee of democratic procedures.

EVILS OF RIGHT-TO-WORK STATUTES

Mr. President, up to now, I have sought to demonstrate that the union shop is wholly consistent with American principles, and that the arguments of those who oppose its extension to the 19 States which now forbid it are completely specious appeals to ignorance and suspicion. I should now like to present the other side of the coin—the positive evils that result from so-called right-to-work laws in these 19 States.

The first of these has been stressed by President Johnson, and is a matter of record—that right-to-work laws, and attempts to enact them, cause continuing friction within the States, provoke quarrels between labor and management, and thus conflict with the purposes of the National Labor Relations Act, one of which is to promote labor stability. Further than this, right-to-work laws promote conflicts between States, conflicts of the most regressive kind, since they involve competition on the basis of which a State can offer an opportunistic manufacturer the lowest wages and the greatest guarantees that no union will be organized to raise them.

I can see no possible way in which the national interest is served when a factory in one State, operating under union contract and paying good wages, moves to another State in order to pay low wages. This is not only bad for the Nation as a whole, it is bad for the supposedly victorious State, for an increase in industrialization based upon factories paying substandard wages is not the road to prosperity; it is a charter for chronic poverty. Neither is it the road to labor stability. It is the road to labor unrest.

The figures are clear enough, and I would like to take note of a few of them. Much more than wage rates are involved here, for wage rates are inseparable from, and indeed are the major factor in, the whole economic and social structure of the State.

Consider now the contrast between my own State of Oregon and the 19 right-to-work States as a whole. Let us look at the figures furnished, in part, by the States themselves, and compiled by various agencies of the U.S. Government.

First, there is per capita personal income—an excellent gage of a State's annual wealth acquirement. In 1964, the 10 Southern States having right-to-work laws had an average per capita personal income of $1,889. For this same period, Oregon had per capita personal income of $2,606. Here is a per capita advantage of $717.

Then there is wages. In manufacturing establishments in these same 10 States, the average wage was $1.98 an hour in 1964, while in the State of Oregon the average hourly wage was $2.85. At the end of the week, the difference in the average pay envelope is nearly $35.

What does this mean to the families, to the children, to the elderly, and to the marginal workers in States with these low incomes and low wages? Let us look at all the 19 States having right-to-work laws. In these States, as a group, fully 32.2 percent of the families were in the poverty category in the 1960 census. Virtually one-third of the entire population of these 19 States was living in poverty. In Oregon, there was, of course, poverty, and too much of it, in my opinion, but in Oregon the number of families with poverty-level incomes was 17.1 percent, only about half as many as in the right-to-work States.

There are other significant facts; minimum wage laws, for example. Only 6 of the 19 right-to-work States have minimum wage laws, weak as most State laws are in this category. Only 7 of the 19 States have fair employment practices laws of any sort; only 4 have equal pay laws for women and only 5 meet basic standards for child labor laws. Oregon, I can report, has laws in every one of these categories, and better laws than most.

The wage, hour, and worker protective laws of a State not only affect the environment and living conditions of a worker, they are an important influence on the development of good citizens. And so, to an even greater extent, is education. The 19 right-to-work States spent an average of $395 per pupil in 1964. In Oregon the expenditure was $569.

Today we are reaping the harvest of our educational investments in our young, but the harvest is a disturbing one. As the youngsters come of age and are examined for selective service, the rejection rate in the mental examinations is exceedingly high. In the 19 right-to-work States, the rejection rate on mental tests is 38.4 percent. In Oregon, the rate is 8.7 percent. At this critcial moment in our history I do not have to remind anyone how serious a loss this is to the security of our Nation.

I have used my own great State for purposes of making these comparisons, but virtually the same comparisons could be made between the 30 other States where the union shop is legal, and the 19 States where it is not.

I am not implying that these differentials were created solely by the so-called right-to-work laws. As a group, the 19 States with these laws have long been at the bottom of the economic roster of American States, for varying reasons; their misfortunes have long been recognized as a matter of national concern, and huge sums have been spent from the general revenues, and are being spent today, on efforts to raise their economies to the national average. But I do say that right-to-work laws, and the philosophy they represent, the philosophy of low wages and hostility to unions, to collective bargaining, and to organized labor, helps to keep these States at the bottom, helps to perpetuate these difficulties, and increases the drain they impose on the Federal Treasury. The ban on the union shop in these 19 States is not only bad for them, but very expensive for the rest of us.

Let me cite another example which, I submit, pinpoints the impact of so-called right-to-work statutes. These laws were once in force in every seaboard State from Virginia to Texas. But a number of years ago, one State—Louisi-

ana—repealed its right-to-work law, except for a very minor application in agriculture. The union shop returned to Louisiana, and this year, Louisiana took the lead, among the Southern States in average wages paid in manufacturing. The average in Louisiana is now $109.14 a week, or $4.14 a week higher than that of the previous leader, Texas. There are many among the right-to-work advocates, I am sure, who view high wages with dismay, but I take the opposite view; I congratulate Louisiana.

I know that the expansion of our economy is always dependent upon high purchasing power upon the part of the consumers of America. Once again, as I have so many times stated from the floor in my 20 years in the Senate, I plead with the American people to remember that their free economy is dependent for its perpetuation upon the high purchasing power of all the consumers of America. Here is one Senator who is not going to support a regression in our economy. Here is one who is not going to vote to keep 14(b) on the statute books when the evidence is overwhelming that it is regressive in nature so far as its effect on our economy is concerned.

Just as low wages are the cause of the depressing lag in the right-to-work States as a whole, small and weak unions are a basic cause of low wages. On January 19 the Department of Labor issued a report on union membership by States, which showed a national average of about 30 percent; that is, of all employees in nonagricultural establishments in the United States, about 3 in 10 are union members. But the percentage in the 31 States without antiunion shop laws was 34 percent, as against a little under 15 percent in the 19 right-to-work States. This, of course, is just what the 19 States intended when they adopted these laws; this was their purpose; they planned it that way.

But they are paying a high price for their success, and so is the Nation as a whole, not just in dollars, but in the ignorance, ill health, and squalor bred by poverty. I do not offer a blanket endorsement to every action of every union, but as one with some experience both in economics and in labor-management affairs, I say that union organization is the sound way to insure individual justice and industrial peace; and that union-negotiated wage increases, which reflect the needs of the workers and their increasing productivity, are essential to an expanding economy and the prosperity of all of us. A State that deliberately undertakes to cripple its labor movement is crippling itself as well.

CONSTITUTIONAL QUESTION

Now, Mr. President, I should like to turn to another point, a point of constitutional law, which in itself should be enough to bring about the repeal of section 14(b). The Constitution empowers the Congress to regulate commerce among the several States. The jurisdiction of the Federal Government over labor relations, problems, and disputes flows from the interstate commerce clause primarily. It was under this power that Congress undertook to legislate in the field of labor relations.

Mr. President, all the statutes in the field of labor relations on the books of the Federal Government stem from the interstate commerce clause.

Congress took jurisdiction, and it established rules governing enterprises engaged in interstate commerce.

My basic disagreement with those who are opposed to the repeal of 14(b) involves an irreconcilable difference of point of view over the application of the interstate commerce clause of the Constitution of the United States. I am opposed to delegating to the States any Federal power in respect to the uniform application of constitutional rights throughout the Nation. The so-called right-to-work laws constitute, in fact, a delegation to the States of a degree of jurisdiction of the Federal Government over interstate commerce matters that stem from the interstate commerce clause.

In my judgment, every worker and every employer in the United States, no matter what State he lives in, should have exactly the same rights under the interstate commerce clause that a worker or employer in any other State has. As I have said in many debates on this subject matter in the Senate, we cannot segmentize the Constitution of the United States by delegating Federal jurisdiction over any section of the Constitution to the States and end up with a uniform application of constitutional guarantees to all people in the United States, irrespective of the State in which they have be living at a given time.

I repeat, many Americans, probably most Americans, have never recognized the constitutional law issue that is involved in the 14(b) issue. The jurisdiction of the Federal Government in the matter of industrial relations involving labor-management relationship stems 100 percent from the interstate commerce clause of the Constitution. Without the interstate commerce clause of the Constitution, the Federal Government would have no jurisdiction in respect to labor relations.

Mr. President, this involves an abstraction. It is always difficult to persuade people to think in terms of an abstract principle which affects their relationship with their government.

However, I would have the American people remember that their very freedoms and liberties are dependent upon the application of such abstract principles of government to their daily lives. Our system of government by law, instead of by men, is founded upon abstract principles of government which we often call our constitutional system of government.

Congress delegated to the States, as it has the power to do, a limited authority over interstate commerce. That limited authority is set forth in the right-to-work law. It provides that a State shall have the right to pass a law to outlaw the union shop. There is nothing illegal about a union shop in the absence of a right-to-work law. The union shop exists in 31 States. It exists in my own State.

Mr. President, I have dealt at some length in my speech in support of my argument that the repeal of section 14(b) would not impose a compulsory union shop upon anyone. It would make it possible for the majority in a shop, under democratic processes, to vote on whether they wish to be governed, in their economic relations with their employer, by a collective-bargaining agreement which includes a union shop provision. It guarantees to the employer another constitutional right, about which I shall have something more to say later in my speech, and that is the right to participate in freedom of contract. This is a precious constitutional right.

Let us face it, Mr. President. What the proponents of the right-to-work laws do not like to hear is that a right-to-work is, in fact, a law which seeks to make compulsory an open shop in a right-to-work States.

What they do not like to hear is that the right-to-work law is one of the devices that can be used for union "busting" in America.

They do not like to have it pointed out. The facts speak for themselves as to what the attitude is in most of these States in regard to collective bargaining through unions.

When we are asking for the repeal of section 14(b) we are asking not for a

provision that will impose on a compulsory basis either open shop or union shop, but one which will give to the workers and their employers the right to engage in free collective bargaining as an expression of their constitutional guarantee of freedom of contract in this country.

When we outlaw the union shop, we take away from the employers, as well as the unions, a precious constitutional right, the right of freedom of contract under which an employer and a union can voluntarily, without any coercion—enter into an agreement in which the employer says, "For the considerations afforded by the contract, I wish to hire all the men in my plant from your union hall." That is a very precious freedom, the freedom of contract.

For many years in the maritime industry I was the Pacific coast arbitrator between the longshoremen and the steamship companies. The steamship companies in their contract agreed to take their workers from a union hiring hall so long as the union could supply them with the workers who met the qualifications under the contract.

At first, the hiring hall was opposed by a substantial number of the steamship companies. We all know the great unrest that plagued the west coast for many years in the maritime industry.

But I am proud to stand before the Senate to say that the parties agreed to an arbitration clause in the maritime contract. Interestingly enough, the adoption of that arbitration clause led to the arbitration of almost every section of the contract.

It was my task and privilege to be the arbitrator when the record was made by the parties that led to a collective bargaining agreement based on the arbitration award I handed down.

I am proud to say that, even as I stand on the floor of the Senate today, that master contract still prevails on the west coast. It has been modified only by the results of collective bargaining at times for those revisions which the parties themselves have negotiated occasioned by changing conditions on the west coast. There have been changes in regard to wages negotiated between the parties, and with respect to working conditions.

Within the framework of that contract they arrived at true arbitration which still stands. That contract provided for the union hiring hall.

It was not very long after the contract was agreed to that the shipowners became the most ardent supporters of the hiring hall. One could no more get them to do away now with the union hiring hall than one could get them to decide to go out of business. It brought stability. It gave them a grievance procedure. It put upon the union the obligation of discipline. It gave management an appeal procedure if the union violated the commitments in the contract.

In decision after decision it was my duty to impose on the union opinion after opinion when I found it in violation of the contract.

It also became my duty to impose on shipowners opinion after opinion which required them to live up to their hiring commitment.

When there are employers who voluntarily enter into union shop agreements almost all of them find that it brings labor stability to their industry. They enter into the agreement because they want the agreement.

I will not be one who would vote to deny management the constitutional right of freedom of contract to enter into a good faith contract with the labor union whereby the employer says, "I want my workers from your union."

That is what is involved in the union shop. I do not propose to support a proposal that would take that freedom of contract away from employers.

That is why, in 1947, standing on the other side of the aisle, I led the fight against the Taft-Hartley bill. One of my major arguments, as the record will show, was the same constitutional argument I am making today. I do not believe in segmentizing the Constitution of the United States. I shall be no part of it.

The same is true of shipowners, contractors, builders in the building trades, and part of every industry in the country, in which there are many who prefer nationwide union shop contracts, and who cannot exercise this precious right of freedom of contract as the law now stands.

One of the major issues involved in this debate, that American management is against the union shop, in my judgment is not so. Many thousands of employers in this country want section 14 (b) repealed. Industry after industry recognizes the unfair competition that low labor standards in the 19 right-to-work States impose upon them.

My State is a good example, for its lumber industry already is suffering great losses in competition with right-to-work States, States in which low wages and low labor standards are allowed to prevail, because the workers are subject to State laws, not to Federal law.

Employers should be allowed to exercise the right of freedom of contract. They should be allowed to enter into union shop agreements. That is why I say in this speech that when we outlaw the union shop, we take away from the employers as well as the unions a precious constitutional right of freedom of contract, under which an employer and a union can voluntarily, without any coercion, enter into an agreement in which the employer says, "For the considerations afforded by the contract, I wish to hire all the men in my plant from your union hall." The freedom of contract is a very precious freedom.

When Congress delegated congressional control over interstate commerce to this limited extent in regard to these right-to-work laws, it followed a course of action of discriminating, in my judgment, against those who want to exercise the previous right of freedom of contract.

I opposed such action in 1947 at the time of Taft-Hartley, and I oppose it now because it has led to many abuses. Because of the passage of the right-to-work laws, we turned these workers over to the jurisdiction and the control of State laws. That is what has happened under the right-to-work law.

I have had experiences with this problem. I was appointed by President Kennedy and later by President Johnson to try to help settle the very costly east coast and gulf longshore strike in 1962 and 1964. We were able to reach agreements in States in which the right-to-work laws did not exist. However, the interesting fact is that our trouble—and it cost the American people hundreds of millions of dollars before the strike was settled—was in the right-to-work States along the gulf, States which are accustomed to exploit Negro longshoremen as well as white longshoremen.

We were finally able, with the cooperation of farseeing industrial statesmen among the shipowners of America, to obtain application of the agreement that we had worked out around the coast and into the Gulf States.

There is no question that, on the basis of my experience in working in the settling of disputes, right-to-work laws give rise to many abuses. One of the abuses is the unfair competitive advantage which the law gives to low-paying employers and the employers who do not believe in high labor standards. Thus, employers in the non-right-to-work States, such as the employers in my own State, in large numbers are protesting the section 14(b) provision of the Taft-Hartley law.

Take the lumber industry of my State—to which I have referred—placed at a competitive disadvantage by the low standard lumber areas of the South in which the right-to-work laws prevail, making it possible that workers will be subjected to low wages, rule by State injunctions, firing without cause, and a loss of their precious freedom of collective bargaining. Let us face it, the right-to-work-law States have a sordid record of antiunionism. In those States labor exploiters still look upon workers as a commodity to be purchased for the lowest price possible.

Summarizing my objections on constitutional grounds to the retention of section 14(b), I wish to review my arguments as follows:

In 1947, I led the fight in this body against segmentizing the interstate commerce clause of the Constitution. That is exactly what Congress did when it passed the Taft-Hartley law including a delegating to the States of certain powers reserved to the Federal Government under the interstate commerce clause. What is involved in this issue is whether there shall be a uniform application of the interstate commerce clause among the 50 States, or whether 19 States shall be permitted to take advantage of an unfortunate delegation of power to the State by Congress under that clause. Such a delegation of interstate commerce authority to the States permits them to maintain the shocking low labor conditions that they maintain

under the right-to-work laws to the competitive disadvantage of employers in high-labor-standard States.

But in section 14(b), Congress ceded a part of that power back to the States. It authorized the States to legislate for themselves on one matter, and one only—the matter of union security, provided only that the State laws were more restrictive than the Federal law.

This is a constitutional monstrosity. As the late and fondly remembered Senator Barkley said, when he joined me and the then Senator PEPPER, of Florida, in opposing this section, it is like amending a Federal law against counterfeiting to allow the States to permit counterfeiting if they choose. Or, to relate to a measure this body will soon be considering, it is like increasing the Federal minimum wage, with a proviso that a State can establish a lower figure if it so desires; and I might say, parenthetically, that a majority of the right-to-work States would take that course if they could. But they cannot do so under the minimum wage law, and they should not be allowed to breach, in a similar way, the National Labor Relations Act.

By every standard of law and equity, a Federal policy should be exactly that—Federal, applying equally among all the States, so that all operate under the same Federal code in the same way.

There is one final point I would like to treat, Mr. President, before I conclude. The opponents of repeal tell us that they are on the popular side, that they reflect the majority opinion of the Nation, in opposing the uniform legality of the union shop. They point to the editorials in newspapers and other media; they point to the public opinion polls; and they point to their own mail. Let me take them in order.

The attitude of the press toward the labor movement is historically one of unremitting hostility; and I suppose it will always be, unless automation progresses to such an extent that publishers no longer need any employees at all, and therefore have no unions with which they must bargain. There are newspapers that take a rather progressive position on other social and economic issues, even supporting Democrats on special occasions; yet these same newspapers will inveigh against the efforts of workers in a local factory to organize, and turn livid at every strike. Newspapers are against labor as consistently as they are against sin, since publishers tend to equate the two, so I think their views can be discounted.

Public opinion polls have been showing a majority vote against a question as to whether a worker should be forced to join a union to keep his job. But opinion polling is an elusive art, and I wonder what the response would be to a question as to whether a worker whose benefits derive from a union contract, who is by law under the protection of the union, should be allowed to escape paying dues.

The opponents of the repeal of section 14(b) are supporting in reality free riders. They are perfectly willing to have a collective-bargaining contract negotiated if the employer must have a contract with the union; but they want to scuttle that contract, in effect, by taking the position that all who enjoy the benefits of the wages, hours, and conditions of employment should not be expected or required to pay their fair share of the cost of the agreement. That is what labor means when it says that the opponents of repeal are supporting the free rider. The free rider position violates all the rules of equity and fairness.

Rather than rely upon the imponderables of the polls, I prefer to look at the election results, in which all the people expressed themselves—in the State referendums, in the contests for congressional seats, and yes, in the presidential contests in which section 14(b) has been a head-on issue. It seems to me that these are more persuasive; for indeed, there was a majority in the other House, and there is a majority in this Chamber, favoring the repeal of section 14(b); and there is a President in the White House who also favors it.

To my fellow Democrats in the Senate, I say that there is also the Democratic Party platform, adopted in 1964 and approved, by the voters, in a sense, in the election of a Democratic President and a large majority of Democrats to Congress.

I have a little word of advice to the Democrats in Congress. We have a duty to support the party platform.

I have the further advice to the Democrats in Congress that we, as a party, have made a commitment for the repeal of section 14(b). Some Democrats are going to find themselves, and they should find themselves, in 1966 and 1968, subject to the charge in those elections: "If you do not repeal section 14(b), you will not be keeping your word."

Mr. President, if there were a justification on the merits for taking before American employers and American labor a case in opposition to repeal of section 14(b), I would join in taking it before them. However, it is not the merits that have thus far defeated the repeal of section 14(b) in the Senate, but politics.

It is not the senior Senator from Oregon who takes it to the political platform. The issue is there. My warning to the Democratic majority in the Senate and the House is that many of them will stay at home in 1966, and they should stay home if they are unwilling to keep the commitments of the party.

The repeal of section 14(b) is right on the merits; and so far as the senior Senator from Oregon is concerned, those who do not want to keep the party commitment on the issue should stay at home. I have no doubt that many of them will be left at home when the voters get through with them in 1966 and 1968.

It seems to me that these arguments are more persuasive; for indeed, there was a majority in the other House, and there is a majority in this Chamber, favoring the repeal of section 14(b); and there is a President in the White House who also favors it.

That places upon us, as the majority party, the obligation of breaking this filibuster. The proponents of repeal across this Nation should focus their eyes on the Democratic majority and hold the Democratic majority politically responsible if the filibuster is not broken.

The senior Senator from Oregon cannot be more clear. There will be no misunderstanding of that language on the part of the voters of this country.

I would have the leaders of my party take note; for all I can do is express my sincere forewarnings, and my sincere forewarning is, You cannot sweep it under the political rug. The issue of the repeal of section 14(b) cannot be swept under the political rug. The Democratic Party must be held to an accounting, and will be held to an accounting if it does not keep the commitment of the 1964 platform.

As for the argument as to what the mail shows, let me answer that for myself. I receive many letters on this issue, most of them from businessmen in the States having right-to-work laws. I understand their personal interest and I am glad to hear from them, but their self-interest can hardly be equated with the national interest.

Mr. President, I have spoken at moderate length on this question, yet I have touched no more than the highlights. My conviction is clear and unwavering that section 14(b) should be repealed; but my remarks have been directed, not so much toward the persuasion of those who disagree with me, but rather toward exposing the fraudulence of the horrible shadows conjured up by the 14(b) propagandists. This is basically a simple issue, which should be considered on its merits, with the mature judgment and calm reason for which this body is so justly famed.

Those who attempt to becloud the issue are seeking only to disrupt its calm and factual consideration; and I say they are using these methods because they know their cause is otherwise lost, and deserves to be. Let us look to the truth, and let us act on it.

Mr. President, let us recognize what section 14(b) really is. It is a device to impose a compulsory open shop on the workers in the so-called right-to-work States.

The section should be repealed in the interest of common fair play and constitutional justice in respect to the constitutional right of workers and employers everywhere in the United States.

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Local 783
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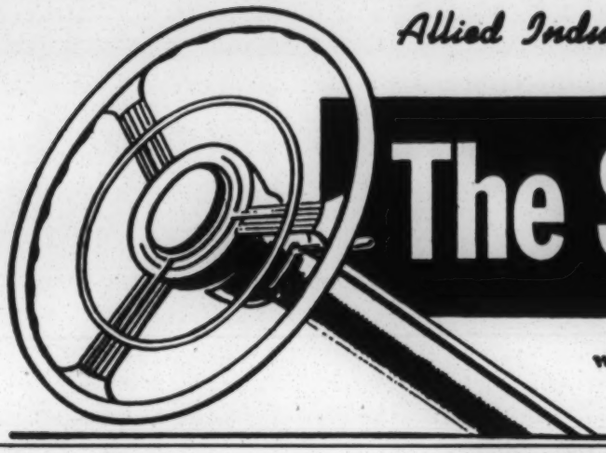

The Steering Wheel

"To Guide You along the Right Way"

Vol. 10—No. 7 OWENSBORO, KENTUCKY July, 1969

SOUND FAMILIAR?

The Buzzer buzzes and the clock-watchers punch their time cards and charge down the aisle in a half-walk, half-run, elbows pumping, determined to be first to the parking lot.

The tide of bodies spreads over the parking lot like the first trickles of flood waters over bottom land, and the first to his car is the leader of the pack and avoids the rush behind.

Those left behind complete the flooding of the lot, enter their cars and start the motors, and then, sit, burning up gasoline, and breathing exhaust fumes.

They pull out of their places, drive perhaps the length of a car, crowding in front of someone else, who glances murderous looks, and grit their teeth, and mutter obscene and blasphemous invectives about road hogs and other impolite people, resolving not to let **that** happen again, thereby becoming as hoggish and impolite as those they condemn.

On it goes, crowding, jockeying for position, cursing, pulling up, stopping, and pulling up again, until, at last, with one more impolite crowding-in, the "through lane" is entered and the open road attained and, free as a bird, the rest of the herd is left behind.

Contributed by one of the herd always left behind.

"A HEARTFELT THANKS"

Words are just not available to me to express enough, my **thanks** to you who helped me in my time of great need. Where there is sickness, it seems that everything is against us, but it does give us a great warm feeling for the brothers and sisters of Local 783 who came to my aid when it was so greatly needed. You just don't know how much it was appreciated.

Thanks from the bottom of my heart:

Virginia Fenwick

WHY DON'T YOU WRITE?

Your Congressman and Senators are waiting to hear from you. They appreciate mail from the folks back home because it is one of the best ways for them to "FEEL THE PULSE" of their districts! Unless you think that your opinion isn't worth a nickel you should have your say. . . . Others do . . . and many bills have become law because individual voters . . . just like you . . . have flooded the desks of Congressmen and Senators until letters cascade onto the floor!

Isn't it great to live in a Nation where this is so?

YOUR LETTER IS YOUR LOBBY . . . Here are their addresses . . .

Honorable William H. Natcher
House of Representatives
House Office Building
Washington, D. C.

Honorable John Sherman Cooper
United States Senator
Senate Office Building
Washington, D. C.

Honorable Marlow W. Cook
United States Senator
Senate Office Building
Washington, D. C.

ISN'T IT WONDERFUL
WHAT WORKING PEOPLE CAN DO
WHEN THEY GET TOGETHER
TO BUILD A STRONG UNION

THE STEERING WHEEL

Official Monthly Publication of
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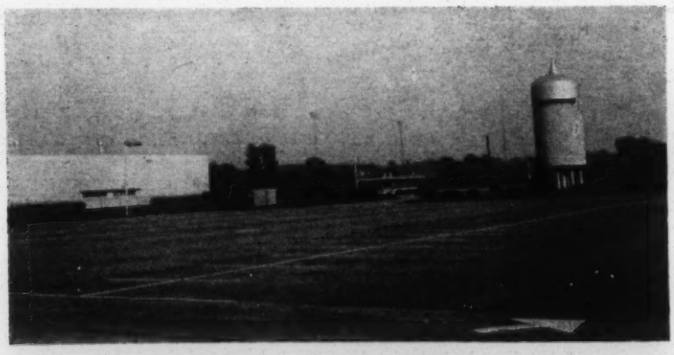
Edits of the Editor ..... **Robert L. Smithson**

WHERE HAVE ALL THE PEOPLE GONE?

Driving past G.E. is somewhat reminiscent of the last scene of "On The Beach". The wind sweeps across the vast, empty parking lot, carrying old newspapers with it; rolling empty beer cans like tumbleweeds; blowing through the wire fence with a low, mournful whistle. Grass and weeds, ground down for months by countless tires and shoes, encouraged by a lot of rain and sunshine, poke up through cracks in the asphalt, little realizing that they are pre-doomed to grinding destruction. Rabbits hop cautiously further and further out on the lot, and field mice scurry across, pausing only to sniff the air, and to flick their ears around, wondering, "Where the heck is all the people at?" (very illiteratemice, you see).

We G.E. employees, for two weeks, enjoyed a paid vacation which was bargained for by our union, Local 783. During the same period we also enjoyed a paid holiday, as we already have four times this year and will again four more times this year. A grand total of nine, all bargained for and won by Local 783.



ATTEND YOUR UNION MEETINGS . . .
THEY ARE SO IMPORTANT . . .

There are those among us who turn up their collective noses at these accomplishments and comment that the company would have provided these benefits anyway, without any bargaining. That type of thinking is so ridiculous that it is hardly worth comment.

Why is it then, to go ahead and comment on ridiculous thinking anyway, why is it that the company has never provided any paid holiday in the **middle** of a contract period? And why didn't G.E. provide a paid two-week vacation for two-year employees **before** the last contract was negotiated?

Well, be that as it may, we hope that each and every one of you enjoyed your vacation to the utmost.

And, if you find it extremely hard to go back to work, just wait around fifty weeks. There are two weeks more, waiting.

SYMPATHY REMEMBRANCES

Our Sympathy and compassion are extended to those members of Local 783 who have lost loved ones. We ask that God bless and comfort each of you.

Mary Lanham—Brother
Ruby Westerfield—Father-in-law
Edith Davis—Husband
Lill Earley—Husband
Gertie Stearsman—Mother
Raymond Rankin—Sister
Bernadette Breidenbach—Mother
Mary Head—Mother
Opal Clark—Brother
Lettie Bickerwermert—Brother
Mary Mayfield—Son
LaVonne Coppage—Father-in-law
Beulah Fulkerson—Son
and to the family of
Maureen Elliott—RETIRED MEMBER

WHAT YOUR UNION DOES FOR YOU!

1. Negotiates Your Contract
2. Handles Your Grievances
3. Polices Your Contract
4. Gives You Job Protection
5. Finds Jobs for You
6. Organizes the Unorganized this Protecting You
7. Gives Many Special Services
8. Provides an Educational Program
9. Joins with Other Groups to get Legislation Favorable to Working People
10. Provides the
STRENGTH OF NUMBERS
THE SPIRIT OF UNITY

Labor Law — Right to Work

Selected Years Per Capita Income In Compulsory Open-Shop States

ALABAMA Passed the law in 1953. In that year the per capita income was $680 below the national average. In 1967 it was $996 below—a loss of $316.

ARIZONA Passed the law in 1948. In that year the per capita income was $156 below the national average. In 1967 it was $439 below—a loss of $283.

ARKANSAS Passed the law in 1947. In 1948 the per capita income was $555 below the national average. In 1967 it was $1,060 below—a loss of $505.

FLORIDA Passed the law in 1944. In 1948 the per capita income was $250 below the national average. In 1967 it was $306 below—a loss of $56.

GEORGIA Passed the law in 1947. In 1948 the per capita income was $462 below the national average. In 1967 it was $618 below—a loss of $156.

IOWA (a) Passed the law in 1947. In 1948 the per capita income was $159 above the national average. In 1967 it was $50 below—a loss of $209.

KANSAS (a) Passed the law in 1958. In 1958 the per capita income was $5 above the national average. In 1967 it was $99 below—a loss of $104.

MISSISSIPPI Passed the law in 1954. In 1954 the per capita income was $877 below the national average. In 1967 it was $1,263 below—a loss of $386.

NEBRASKA (a) Passed the law in 1947. In 1948 the per capita income was $79 above the national average. In 1967 it was $78 below—a loss of $157.

NEVADA (a) (b) Passed the law in 1951. In 1951 the per capita income was $598 above the national average. In 1967 it was $424 above—a loss of $174.
(This is the only RTW state consistently above the national average, but it has lost ground.)

N. CAROLINA Passed the law in 1947. In 1948 the per capita income was $457 below the national average. In 1967 it was $720 below—a loss of $263.

N. DAKOTA (c) Passed the law in 1947. In 1948 the per capita income was $28 below the national average. In 1967 it was $672 below—a loss of $644.

S. CAROLINA Passed the law in 1954. In 1954 the per capita income was $666 below the national average. In 1967 it was $946 below—a loss of $280.

S. DAKOTA (a) Passed the law in 1947. In 1948 the per capita income was $67 above the national average. In 1967 it was $569 below—a loss of $636.

TENNESSEE Passed the law in 1947. In 1948 the per capita income was $486 below the national average. In 1967 it was $765 below—a loss of $279.

TEXAS Passed the law in 1947. In 1948 the per capita income was $231 below the national average. In 1967 it was $415 below—a loss of $184.

UTAH Passed the law in 1955. In 1955 the per capita income was $251 below the national average. In 1967 it was $555 below—a loss of $304.

VIRGINIA Passed the law in 1947. In 1948 the per capita income was $300 below the national average. In 1967 it was $355 below—a loss of $55

WYOMING (a) Passed the law in 1963. In 1962 the per capita income was $18 above the national average. In 1967 it was $157 below—a loss of $175.

SOURCE: U. S. Dept. of Commerce, SURVEY OF CURRENT BUSINESS, August 1968.

(a) States above national average at time RTW was passed.

(b) RTW states still above national average.

(c) When North Dakota passed the law in 1947, it was $130 above the national average. The next year it was $28.00 below. In 1966 it was $579.00 below. In 1967 it was $652.00 below—a loss of $782.

Per capita income is the clearest measure of a state's economic health. In this important economic indicator the facts demonstrate dramatically that so-called "right to work" states lag badly behind free collective bargaining states. Despite some growth in per capita income in RTW states during the vast national economic expansion of the past two decades, their growth has been slower than other states.

The result—today five states which were above the national per capita income before they passed the so-called "right to work" now are below it. One other state—Nevada—which was above the national average when they passed the law, is stil above, but has lost ground. This state is not as far above as when they enacted an RTW law.

IT ISN'T THE UNION IT'S YOU

If you want to have the kind of a Union
Like the kind of a Union you like,
You needn't stand on the corner and talk
And forever and ever gripe.

Come out to the Union on meeting night,
For there's plenty of work to do.
It's a knock at yourself when you knock your Union—
It isn't the Union—it's YOU!

When you hear a rumor that things are wrong
And trouble somewhere is brewing,
It's time for us all to quit our talk
And stop our fretting and stewing.

Just take a look at yourself and say—
"What is there that I can do?"
Are you doing your bit to make things hit?
It isn't the UNION—It's YOU!

COOK'S CORNER

BOHEMIAN SLAW.....Mrs. Lillian Wells

3 quarts shredded cabbage
4 medium onions
1 can chopped pimentos
1 green mango pepper
Dice onions and mango pepper and mix all ingredients.

The Dressing

1 pint of vinegar
2½ cups of sugar
1 Tbs. mustard seed
1 Tbs. Tumeric
Mix all dressing ingredients together and bring to a boil.
Pour over cabbage mixture.
Keeps in the refrigerator for 3 weeks.

GRAPE STRIKERS ARE HAILED, BOYCOTT AGAINST TABLE GRAPES IS PRESSED

The need for total support of the United Farm Workers is greater than ever before, the AFL-CIO Executive Council declared in calling on every affiliate, every officer and every union member "to accept this struggle as a struggle of all trade unionists."

"More than anything else, this support of the boycott against table grapes," the council said in a statement reviewing the career of "this, the youngest member" of the AFL-CIO family.

The statement noted that "after almost four long and trying years of striking and boycotting" to build their union, the stamina and courage of UFWOC officers and members "continues to amaze America and to inspire trade unionists throughout the nation."

The reward for this effort has been the winning of 11 contracts "and the establishment therein of levels of dignity and security for field laborers never before attained."

Yet that segment of the industry which produces fresh table grapes in California and Arizona vineyards "continues to pursue its backward policies and to bitterly oppose the workers' organizational efforts," the statement asserted.

Many growers were discovered by the Labor Dept. recently to have sponsored and financed an artificial "union" to discredit and destroy the legitimate union led by Cesar Chavez, the council said. In addition they engaged two nationally prominent public relation-advertising agencies "to promote their image and destroy the UFWOC." It added:

"The Great Cause"

"The great cause of the farm workers . . . remains among the most just and meritorious in the history of American labor.

"These workers and this crusade have stirred the conscience and aroused the sympathy of decent-thinking people throughout the world.

"AFL-CIO takes pride in having pioneered in this effort and in having continued as a strong and constant supporter of the farm worker. Never has there been an issue so universally joined in by the family of AFL-CIO."

Forego Differences

The statement related that even labor organizations outside the AFL-CIO "find the 'common cause' character of this struggle so overwhelming that they are able to forego other differences" to assist the struggling union.

The federation is "appreciative of every effort in the national community, both within and outside the ranks of organized labor, for all acts . . . which aid the AFL-CIO Farm Workers," the statement declared.

While some UFWOC members walk boycott picket lines, the council pointed out that "others are walking the highway from Coachella, Calif., to Calexico, on the Mexican-U.S. border, in a demonstration designed to enlist the sympathy and support of the 'green card' commuters who have broken previous strikes." The cross-border commuters are being used by grape growers, who refuse to recognize the union, as strikebreakers.

—From Ky. Labor News

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LABOR'S WRONGS—AND RIGHTS

BY
WILLIAM J. SMITH S. J.

Number Sixteen in the
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American Federation of Labor and
Congress of Industrial Organizations
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Washington, D. C. 20006

George Meany
President

Wm. F. Schnitzler
Secretary-Treasurer

17 17

REPEAL 14B

A statement supporting a strong trade union movement by civil rights leaders:

JAMES FARMER

MARTIN LUTHER KING, JR.

A. PHILIP RANDOLPH

ROY WILKINS

Right to work

FACTS

VS

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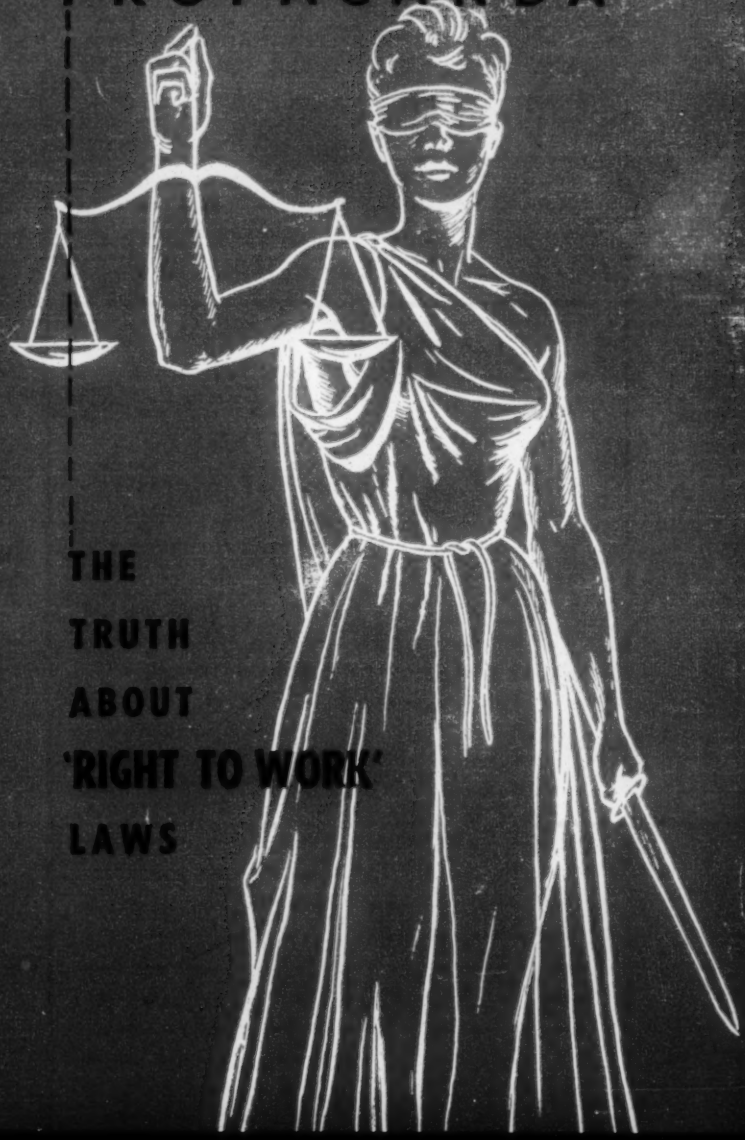
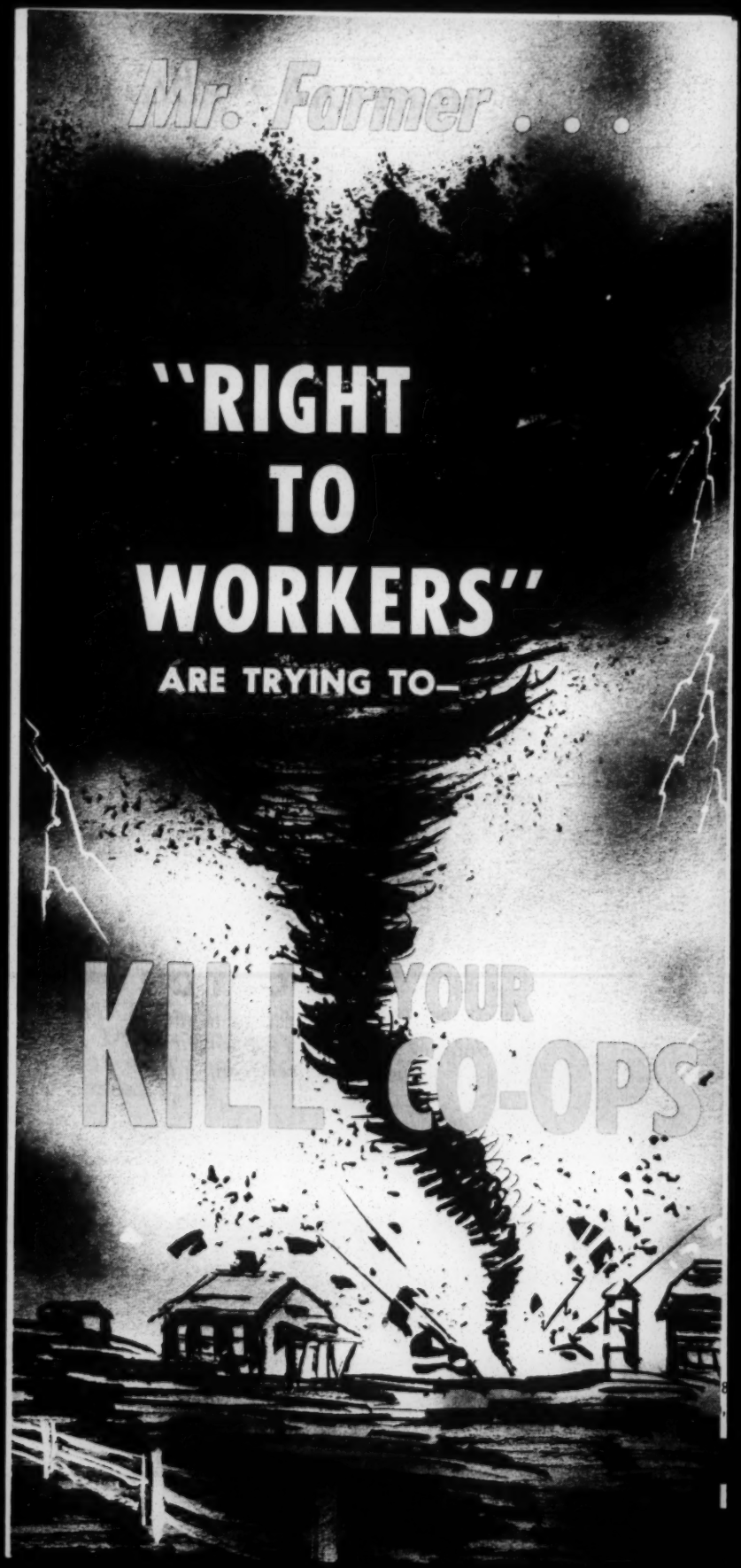


THE TRUTH ABOUT 'RIGHT TO WORK' LAWS

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS


Mr. Farmer . . .
"RIGHT TO WORKERS"
ARE TRYING TO—
KILL YOUR CO-OPS

"Right to Work" Laws

—A Trap for America's Minorities

by

Bayard Rustin

A. Philip Randolph Institute

LABOR STANDARDS are LOWER in . . .

'RIGHT-TO-WORK' States

- ★ MINIMUM WAGE
- ★ UNEMPLOYMENT INSURANCE
- ★ WORKMEN'S COMPENSATION
- ★ CHILD LABOR

Prepared by AFL-CIO Department of Research

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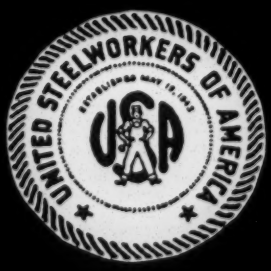

THE CASE FOR THE UNION SHOP

THE MILWAUKEE JOURNAL

L. W. NIEMAN, Founder, 1882

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Study Shows 'Right to Work' Laws Have Only Slight Effect

So much more heat than light is generated over the "right to work" laws that when illumination is cast on the issue it is welcome.

In the present instance the illumination comes from Frederic Meyers, a former economics professor at the University of Texas who now teaches at the University of California at Los Angeles. In a report for the Fund for the Republic entitled "Right to Work in Practice," he declares:

"My considered conclusion, based on 10 years of close observation of labor relations in Texas, is that the 'right to work' statute, taken by itself, has had a minimal direct effect."

The law has not borne out the expectations of its advocates or opponents, says Meyers. It has not guaranteed the individual freedom of workers and has not destroyed the labor unions. It has, however, made unions less responsible by making them more responsive to extreme demands of vocal minorities.

"Right to work" laws are in effect now in 18 states besides Texas. They prohibit labor contracts that make union membership a condition of holding a job. Usually this refers to the union shop provision that requires a worker to join a union within a fixed period after employment, customarily 30 days, and remain a member or be fired.

Wisconsin does not have a "right to work" law. It does, though, impose restrictions. Labor union contracts containing union security provisions must be approved by two-thirds of those voting in a referendum conducted by the state labor board, and the two-thirds must represent a majority of employes in the bargaining unit.

There have been flurries of activity here in behalf of "right to work," but none of sizable proportion. The conclusion of Prof. Meyers, which is convincingly supported by information obtained in extensive interviews in Texas, suggests that Wisconsin has been wise in avoiding a "right to work" law or a struggle over the issue.

Meyers views the Texas law as primarily a symbol—to management standing for the political power it has held and hopes to retain, and to labor representing another disappointment in state legislation. But the real problems of how to achieve freedom in a complex industrial society remain unsolved.

It is to these problems that Wisconsin might better address itself, than by expending energy and creating animosity with a "right to work" campaign.

WHAT DO YOU THINK OF THE PROPOSED "RIGHT-TO-WORK" LAW?

This question was asked of various individuals in Wisconsin Rapids by a member of the Retail Clerks International Association. These are the answers to the question:

1. "I guess it's alright - save paying union dues and we could get in more overtime and bpy, I could use an extra fifth bucks or so every two weeks".

   - Union mill employee

2. "I don't know - I never heard about it".

   - Mill employee

3. "I don't know much about it, but guess it's OK".

   - Union mill employee

4. "I don't know - never heard of it".

   - Female clerk, union

5. "Right-to-work" law - what's that?"

   - Male union worker

6. "I don't know too much about it but I guess it would be awful for the union and I figure I'm pretty strong union so I'm against it".

   - Female clerk, union

7. "I don't know but I don't believe in the union shop so if it's for doing away with that, I'm for it".

   - Canned goods salesman

8. "My God, no! We can't let that happen here. I was down South and some of those guys are working 60 hours a week for 65¢ an hour".

   - Mill employee

9. "I don't think we should have that here, it's against all union principles. But maybe like in New York for the dock workers where the unions are corrupt they need something like this".

   - Bread salesman

10. "I don't understand or know much about it, but I'm against it and don't know why the working man keeps putting people into office that do want that kind of thing".

    - Union man

11. "Right-to-work Law - what's that?"

    - Union clerk

12. "I don't know. I never heard of it".

- Union clerk

13. "Oh, I guess it would be OK - a person could advance faster".

- Mill employee

14. "Whoever dreamed that deal up should be hung and that goes for the damn fools who voted it in some places".

- Mill employee

15. "I think it would bring more industry into Wisconsin and make for more efficient workers because it would eliminate seniority and you wouldn't have to keep non-efficient or older workers. Also people would advance faster on their own merit".

- Mill employee

16. "Don't know nothing about it".

- Mill employee

17. "I don't want it here. I don't want to work with a bunch of Negroes.

- Mill employee

18. "What's it all about - never heard of it".

- Union clerk

19. "Yes, I think it would be a good thing. The unions have tied us down so we can't make a decent profit".

- Dept. Manager in Dept. store

20. "I don't know anything about it. Never heard of it".

- Dentist

21. "Iread a little about it but it doesn't really concern me so I don't care either way".

- Small business man (3 workers)

22. "I can't understand why it wasn't passed before. The unions have grown too strong and arrogant. They need to be knocked down a peg or two".

- Dept. manager in Dept. store

23. "I don't belong to a union anymore, but they're benefitting me all the time. When they get a raise, I do too, and when a law jeopardizes unions, I'm against it".

- Mill foreman

Some Empirical Estimates of the Market Value of the Right-to-Work[1]

THOMAS H. NAYLOR AND WILLIAM H. WALLACE

Duke University

INTRODUCTION

IN recent months the debate over the bill before the Congress of the United States (HR 77) to repeal Section 14(b) of the Taft-Hartley Act, which gives states the right to pass so-called Right-to-Work laws banning the "union shop" has raised a number of heretofore unanswered questions. Among these are included: How much is it "worth" to an employer to locate his firm in a state which has no such law? How much is it "worth" to an employee to locate in a state which has a Right-to-Work law as compared to a state which has no Right-to-Work law? What is the "market value" of the Right-to-Work?

It would appear that some sort of empirical estimate of the "value" of the Right-to-Work would be vital to the arguments of corporate managers and industrialists who seem to favour Right-to-Work laws, union leaders who vigorously oppose Right-to-Work laws, and governmental policy makers on the federal, state, and local level. In this paper we discuss four alternative empirical estimates of the "imputed value" or "opportunity cost" of the Right-to-Work.

ANALYSIS

The doctrine of "imputed value" or "opportunity cost" has a long history in the development of economic thought which can be traced back to the work of the Austrians in the late nineteenth century. The opportunity cost of any particular course of action is the amount of gain, which is sacrificed by pursuing that course of action rather than the next most desirable alternative.[2] Armed with the notion of imputation, economists have shown little reluctance over the years to imputing values to such intangibles as the "right of property", "patent right", "copyrights", etc.[3] Therefore, it seems reasonable to assume that it may be possible to obtain estimates of the imputed value of the Right-to-Work.

We propose to estimate the imputed value of the Right-to-Work by estimating the average differences in (1) per capita personal income, (2) average weekly wages in manufacturing, (3) unemployment insurance

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maximum weekly benefits, and (4) minimum hourly wages between the States which have Right-to-Work laws and states which do not. We will also present discounted present values of the differences which result from the analysis in (2) for several different periods of employment and at selected rates of discount.

In order to obtain estimates of the imputed value of the Right-to-Work, we make use of the following simple econometric model:

$$Y_i = a_i + b_i X + u_i \qquad (i = 1, 2, 3, 4)$$

where,

Y_1 = per capita personal income in dollars by state for 1964,

Y_2 = average weekly wages in manufacturing in dollars by state for 1964,

Y_3 = unemployment insurance maximum weekly benefits in dollars by state as of January 1, 1965,

Y_4 = minimum hourly wage in dollars by state as of July 1, 1965,

X = a "dummy variable" which takes on the value "1" if a state has a Right-to-Work law and the value "0" if the state does not, effective July 1, 1965,

u_i = a disturbance term,

a_i = a parameter to be estimated, and

b_i = a parameter to be estimated.

The data for our model are listed in Table 1 for all 50 states and the District of Columbia. Per capita income and average wages in manufacturing for 1964 were obtained respectively from the usual Department of Commerce and Department of Labor sources. The figures on unemployment insurance represent the statutory maximum weekly unemployment insurance benefits being paid by states as of January 1, 1965. The information contained in the column in Table 1 indicating whether or not a state has a Right-to-Work law was obtained from Department of Labor sources, as well as directly from the statutes of the respective states as of July 1, 1965.

The figures in the "Minimum Wage" column of Table 1 require special attention. Although the federal wage-hour law has set the minimum wage at $1.25 per hour, many different categories of workers are not covered by the federal law. As a result, 34 states have enacted their own minimum wage laws which have the effect of supplementing the federal minimum wage law by bringing certain groups of workers who are not covered by the federal law under the coverage of state laws. There are, however, wide ranges of differences between state minimum

TABLE 1

INCOME, WAGES, UNEMPLOYMENT INSURANCE, AND "RIGHT-TO-WORK" LAWS BY STATES

States	*Per Capita Personal Income in Dollars (1964)*	*Average Weekly Wages in Manufacturing in Dollars (1964)*	*Unemployment Insurance Maximum Weekly Benefits in Dollars (Jan. 1, 1965)*	*Minimum Wage in Dollars (July 1, 1965)*	*Right-to-Work Laws (July 1, 1965)*
Alabama	1737	88.99	32	No min. wage	Yes
Alaska	3128	154.79	70	.75[a]	No
Arizona	2218	109.11	43	.66[b,e]	Yes
Arkansas	1633	72.34	36	.16[a,c]	Yes
California	3092	119.03	55	1.30[b,e]	No
Colorado	2591	112.08	50	.80[b,e]	No
Connecticut	3250	108.30	67	1.25[a]	No
Delaware	3426	108.11	50	.75[a,d]	No
District of Columbia	3515	110.49	53	1.15[b,e]	No
Florida	2280	87.49	33	No min. wage	Yes
Georgia	1933	77.96	35	No min. wage	Yes
Hawaii	2579	81.88	55	1.25[a]	No
Idaho	2012	99.74	45	1.00[a]	No
Illinois	3003	113.06	59	No min. wage	No
Indiana	2529	115.78	36	1.00[a,e]	No
Iowa	2370	109.83	44	No min. wage	Yes
Kansas	2311	111.19	47	No min. wage	Yes
Kentucky	1811	98.41	40	.75[b,e]	No
Louisiana	1864	104.53	40	No min. wage	No[f]
Maine	2130	81.68	34	1.00[a]	No
Maryland	2888	103.51	46	1.00[a,g]	No
Massachusetts	2922	94.48	45	1.30[a]	No
Michigan	2733	135.30	60	1.00[a]	No
Minnesota	2373	107.28	38	1.15[b,e]	No
Mississippi	1444	71.59	30	No min. wage	Yes
Missouri	2595	101.25	40	No min. wage	No
Montana	2183	110.73	34	No min. wage	No
Nebraska	2302	101.85	38	No min. wage	Yes
Nevada	3248	127.48	58	1.25[a,e]	Yes
New Hampshire	2343	81.25	45	1.25[a]	No
New Jersey	2962	108.11	50	1.25[b,e]	No
New Mexico	2010	90.59	36	.90[a]	No
New York	3139	102.20	50	1.25[a]	No
North Carolina	1900	71.87	35	.85[a]	Yes
North Dakota	2012	97.41	44	.85[b,e]	Yes
Ohio	2623	120.88	53	1.00[b,e]	No
Oklahoma	2095	98.13	32	No min. wage	No
Oregon	2602	112.00	44	1.00[b,e]	No
Pennsylvania	2575	101.90	45	1.00[a]	No
Rhode Island	2479	84.17	48	1.25[a]	No
South Carolina	1647	74.00	38	No min. wage	Yes
South Dakota	1832	105.84	34	.50[a,e]	Yes
Tennessee	1852	83.12	36	No min. wage	Yes
Texas	2175	101.10	37	No min. wage	Yes
Utah	2174	111.84	47	1.00[b,e]	Yes
Vermont	2144	86.36	43	1.00[a]	No
Virginia	2224	83.86	36	No min. wage	Yes
Washington	2634	115.84	42	1.25[a]	No
West Virginia	1962	107.30	35	No min. wage	No
Wisconsin	2492	110.56	55	1.10[b,e]	No
Wyoming	2475	107.35	46	1.00[a]	Yes

Sources: Personal Income: U.S. Department of Commerce, *Survey of Current Business*, April, 1965. Wages: U.S. Department of Labor, *Employment & Earnings*, 1964. Unemployment Insurance: U.S. Department of Labor, *Unemployment Insurance: State Laws & Experience*, February, 1965. Minimum Wage and Right-to-Work Laws: Commerce Clearing House, Inc. (New York), "State Laws 1 & 2," *Labor Law Reporter*, June, 1965.

[a] Statutory hourly minimum wage rate.
[b] Hourly minimum wage rates set by wage orders.
[c] Minimum wage rate applicable only to women and minors or women and girls.
[d] Applicable only to minors under the age of 16. [e] Effective July 1, 1965.
[f] Louisiana has a limited application "Right-to-Work" law affecting agricultural and certain processing workers only. [g] Effective June 1, 1965.

wage laws in terms of the categories of workers covered by these laws. In order to make use of the available information on state minimum wage rates, we have found it necessary to standardize the data as much as possible. Although no two states have identical minimum wage laws, two distinct patterns are observable among the states. On the one hand, some states have a statutory minimum wage which applies to all classifications of workers in the state except those specifically exempted from coverage by the statute itself. On the other hand, some states have no statutory minimum wage, but do have what are known as wage orders, i.e., minimum wage rates which are applicable only to specific industries, age groups, sexes, etc.

In listing the minimum wage rates of the various states in Table 1, we have taken the following approach. If a state has a statutory minimum wage rate (regardless of the number of exemptions permitted) then that wage rate as of July 1, 1965, has been listed in the "Minimum Wage" column of Table 1. If a state has no statutory minimum wage, but has wage orders applicable to certain industries, then we have selected the maximum minimum wage rate in effect for the industries in that particular state to which wage orders apply. However, in Colorado and New Jersey, we have made an exception to this rule, for in both of these states the minimum wage for "beauty culture" is the highest in the state—$1.00 an hour in Colorado, and $1.50 an hour in New Jersey. Therefore, in both of these states, we decided to select the second highest minimum wage rate applicable to a particular industry ($.80 in Colorado, and $1.25 in New Jersey), rather than biasing the results upward by the inclusion of the "beauty culture" minimum wage.

Results

The statistical estimates resulting from application of the four regression equations mentioned in the previous section to the data in Table 1, are presented in Table 2.

There is no attempt in the analysis to assert causal relationships. The information presented in Table 2 is intended merely to show differences, on the average, in Right-to-Work states *vis-a-vis* non-Right-to-Work states, with respect to each individual Y_i. The a_i, the constant term of each regression equation, shown in the second column of Table 2, is the average value of each Y_i for non-Right-to-Work states, and is shown again in the final column of Table 3.

Of primary importance in Table 2 is the b_i column, containing the least-squares regression coefficients, relating the dummy independent variable to each dependent Y_i. Each of the b_i's as well as the simple

TABLE 2

RESULTS OF REGRESSION ANALYSES

Y_i *Dependent Variable of Regression Equation*	a_i*	b_i	σb_i	*Significance level of* b_i	r_i	*Significance level of* r_i
Y_1, Per capita Personal Income in Dollars (1964)	2,583.87	—490.87	126.85	.01	.484	.01
Y_2, Average Weekly Wages in Manufacturing in Dollars	105.62	—11.18	4.59	.02	.329	.02
Y_3, Unemployment Insurance, Maximum Weekly Benefit in Dollars (1/1/1965)	46.72	—7.30	2.50	.01	.385	.01
Y_4, Minimum Wage in Dollar, July 1, 1965	.866	—.536	.131	.01	.505	.01

* See final column, Table 3.

correlations (r_i's), is significant at the levels shown. The interpretation of each b_i is that it is the average difference in the corresponding Y_i as between Right-to-Work and non-Right-to-work states.

TABLE 3

AVERAGE VALUES OF Y_i's, FOR ALL STATES, AND FOR STATES WITH AND WITHOUT RIGHT-TO-WORK LAWS

Y_i	*Average* Y_i *for all States*	*Average* Y_i *for all States with Right-to-Work Laws*	*Average* Y_i *for all States without Right-to-Work Laws*
Y_1 Per Capita Personal Income	$2401.00	$2093.00	$2583.87
Y_2, Weekly Wages in Manufacturing	$101.45	$94.43	$105.62
Y_3, Unemployment Insurance Maximum Weekly Benefits	$44.00	$39.42	$46.72
Y_4, Minimum Wage	$.67	$.33	$.87

Table 3 presents a comparison of mean values of Y_i's for all 50 states and the District of Columbia, with mean values of those variables computed separately for Right-to-Work and non-Right-to-Work states. The differences between columns 2 and 3 of Table 3 are, of course, the b_i's.

The analyses shown in these tables lead to certain significant observations. Per capita personal income is, on the average, $490.87 per annum lower in Right-to-Work states than in non-Right-to-Work states. It is $308 per annum lower than the average of all states. Considering average weekly wages in manufacturing, Right-to-Work states are $11.18 per week lower than non-Right-to-Work states, and $7.02 per week

lower than the average of all states. In the case of the maximum weekly benefit from unemployment insurance, Right-to-Work states are $7.30 per week lower than non-Right-to-Work states, and $4.58 per week lower than the average of all states. The minimum wage in Right-to-Work states is 53.6c per hour lower than non-Right-to-Work states, and 34c per hour lower than the average of all states.

To the extent, therefore, that the four variables used are appropriate measures of economic well-being, it must be concluded that states which have Right-to-Work laws are not as prosperous, generally, as states which do not have such laws. This analysis does not purport to attribute the differences to the existence of Right-to-Work laws. It simply points out that such differences are revealed when states are classified according to this criterion, and the difference in each case between the two groups is significant.

From the point of view of the manufacturing employee, the difference which exists between the two groups of states in average weekly wages in manufacturing can be shown to assume major proportions, depending upon the length of time a worker is employed in a manufacturing occupation. Table 4 presents these figures. Similar analyses could be made with respect to the other Y_i's. For example, if current differences were to persist in average weekly wages between the two groups of states, the average worker in the average Right-to-Work state, who spends ten years in manufacturing employment, would expect to earn $5,813.60 less during that period of time than if he were employed similarly in the average non-Right-to-Work state. Table 4 also shows that this amount would have an immediate discounted present value, at 3%, of $4,959.12.

TABLE 4

DIFFERENTIAL EARNINGS OF MANUFACTURING EMPLOYEES, AS IMPLIED BY CURRENT DIFFERENCES IN AVERAGE WEEKLY WAGES IN MANUFACTURING, BETWEEN RIGHT-TO-WORK AND NON-RIGHT-TO-WORK STATES

Years Employed	*Rate of Discount*		
	3%	*4%*	*5%*
10 Years			
Actual Difference	$5,813.60	$5,813.60	$5,813.60
Discounted Pres. Value	($4,959.12)	($4,715.35)	($4,489.10)
20 Years			
Actual Difference	$11,627.20	$11,627.20	$11,627.20
Discounted Pres. Value	($8,649.17)	($7,900.87)	($7,245.03)
30 Years			
Actual Difference	$17,440.80	$17,440.80	$17,440.80
Discounted Pres. Value	($11,394.91)	($10,052.89)	($8,936.93)
40 Years			
Actual Difference	$23,254.40	$23,254.40	$23,254.40
Discounted Pres. Value	($13,438.00)	($11,506.72)	($9,975.61)

One might interpret this figure to mean that, if current differences persist, the privilege of ten years of employment in an non-Right-to-Work state is worth that amount to the average worker at the present time. Theoretically, if the appropriate rate of interest is 3%, the average worker in manufacturing should be willing to pay up to $4,959.12 for the privilege of ten years of employment in a state which does not have a Right-to-Work law. If the prospective period of employment is 40 years, as opposed to ten, the present value of this privilege increases, at the 3% rate, to $13,438. Table 4 shows similar comparisons at other rates of interest.

It is perhaps unreasonable to assume that current differences in average weekly wages or the other variables used in this study will continue to exist, since there are many forces at work to narrow the differences. However, looking at the figures which are most current, one is inescapably led to the conclusion that for the average worker there is a negative value associated with the Right-to-Work.

There is a long-standing tradition in economics to use expected future incomes for the purpose of estimating present values.[4] The economic value of the Right-to-Work is therefore quantifiable only in terms of the observable differences in those economic variables with which its existence is so closely associated, and the expected future effects of these differences.

FOOTNOTES

1. This study was supported by the Duke University Research Council, and represents a part of the preliminary investigation for a larger study entitled, "Employment, Output, Capital, and Growth in North Carolina —A Computer Simulation Study."
2. H. H. Liebhafsky, *The Nature of Price Theory*. (Homewood, Illinois: The Dorsey Press, 1963.)
3. George Stigler, *The Theory of Price*. (The Macmillan Company, 1952), pp. 96-106.
4. Irving Fisher, *The Nature of Capital and Income*. (The Macmillan Company, 1906). p. 324.

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State Labor Relations Acts

U.S. DEPARTMENT OF LABOR
Arthur J. Goldberg, Secretary

BUREAU OF LABOR STANDARDS
Arthur W. Motley, Director

Seniority—Fair Play On the Job

Collective Bargaining REPORT

Prepared by Department of Research
Reprinted from September 1961
AFL-CIO AMERICAN FEDERATIONIST

The importance of seniority has grown considerably in the postwar years. Increasingly, a worker's length of service with an employer decides how much p[illegible]e has over others and how much he receives [illegible]in benefits.

Years a[illegible]itter disputes raged over the "seniority issue," the question of whether management should give preference to workers with longer service or to those with greater "merit."

Differences of principle on this issue now have been pretty well resolved. Both unions and employers quite widely accept length of service as the controlling or at least a key factor in deciding relative status of employes and in other aspects of employment.

Seniority disagreements still arise frequently but essentially only on the drafting of detailed rules and the application of seniority systems rather than on the basic principle of preference by seniority.

This change is part of a gradual shift in attitudes on workers' rights. No longer is management wholly free, where workers are organized, to pick and choose among employes solely as it wishes, to fire, lay off, promote or transfer whomever it wants on whatever basis.

Slowly but definitely, under steady prodding from unions, recognition has grown that workers too, and not employers alone, have rights in an employment relationship. Mere payment of wages does not meet all an employer's responsibilities to workers. Moreover, the view has grown that certain worker rights, particularly the right to continued employment, should increase in proportion to length of service with the employer.

The longer a worker works for an employer, the more closely his life becomes invested in that employment. Where he lives, his friends, his habits, his sleeping and eating times, his entire physical and emotional wellbeing and other aspects of his and his family's life are each greatly influenced by his job.

Worker rights in return for this "investment" now reasonably include some assurance of job security, some opportunity for advancement and additional benefits accruing with longer service. These are not absolute rights. They are contingent upon ability to perform the work competently and on the availability of work, but they are not subject to disregard at the whim of the employer.

In a sense, such rights flowing from continued service are coming to be regarded as property rights, especially if set forth specifically in a labor agreement and may not be taken away from the worker except in specified circumstances and, even then, often only upon adequate compensation for their loss.

The growth of worker rights is reflected not only in seniority practices but also in changing concepts of what constitutes "fair play" in discharge and discipline and in the increase in severance pay arrangements to compensate for the loss of valuable rights earned during employment.[1]

Why Seniority Practices Have Grown

The pressures of unions and generally favorable experience with seniority practices are the major forces which have created increased observance of seniority principles.

Seniority was of course often observed before unions appeared on the scene. Its virtues also lead to its observance today in many non-union establishments.

But it is only because of union action that the weight given to seniority has spread so widely and has been formalized, increased and made enforceable. In non-union situations, consideration given to seniority may be limited or erratic. Even if a non-union company announces a seniority policy, it can in the absence of a union freely change or depart from seniority standards, regardless of its employes' wishes.

It should be remembered that although most unions

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[1] *For further discussion of this point, see AFL-CIO Collective Bargaining Report, September 1959 and January 1960.*

press for seniority rights there is no universal or binding union policy on seniority observance. Commentators on labor-management relations sometimes are unaware or forget that each union shapes its own bargaining policies according to needs and desires of its own members and the practicalities of its own industry or trade.

Where a union's members believe, for example, that it is fair and practical to rely on factors other than seniority, they do not pursue a seniority policy. Screen actors, for example, do not insist on seniority in selection for movie roles. Similarly, length of service is not significant for job security purposes in certain construction and seasonal activities where lack of work is handled through work sharing rather than layoffs of selected individuals.

But while unions do not adhere blindly or invariably to the seniority principle, for most types of employment they have found that, from the standpoint of both workers and management, it makes good sense or at least better sense than alternative practices.

One advantage of a seniority system is that it provides greater security for older workers. It provides assurance that, while long-service workers are still capable of working efficiently, they will not be cast aside or bypassed merely to make room for newer workers.

This is usually a union objective, both because of awareness that older workers have the most difficulty in finding other work after a layoff and because a sense of fairness endorses the idea of providing more security and greater benefits to those who have been in employment longest.

Another basic reason unions seek seniority protection is to prevent or limit abuses which arise under other methods of selection among employes. Unlike other bases for selection, length of service has the advantage of being readily measurable and objective.

This article is not intended as a guide for local negotiators in details of seniority arrangements. It does not deal with such important bargaining matters as appropriate seniority units, effects of interruptions of employment on seniority or types of exceptions to seniority rules. Instead, it simply presents a broad background for negotiators on the following:

- Types of rights and benefits usually linked to length of service.
- Advantages of preference by seniority.
- Effect of seniority on efficiency. Does seniority reduce incentive and efficiency?
- Effect of seniority on labor mobility. Does seniority in effect tie a man to his job, so desirable shifts from one company or industry to another are prevented?

Rights Based on Length of Service

Seniority is used for two broad purposes. One is to determine priority whenever a choice must be made between employes. Thus, it is the basis, or a basis, for choosing who is retained when layoffs are necessary, the order of rehiring and who gets first crack at a promotion or other desirable assignment. The other use of length of service is to determine eligibility for, and size of, various benefits.

Selection for layoffs and for recalls to employment after layoff is probably the most important application, for here basic job security is involved. It is now customary for length of service to be the governing factor in selecting employes for layoff and determining the order of rehiring.

A Labor Department Survey of major agreements in 1954-55 found almost 70 percent of layoff and recall provisions expressly made seniority the controlling factor in layoffs, although often stating specifically the senior employe must be able to do the available work. The other layoff provisions either stated seniority applied where ability was equal or that seniority was one of the factors considered, but it was likely that under many of these seniority usually prevailed in practice even though not technically required by contract language.

Actually, the degree of security for the senior worker depends not merely on whether seniority is made the controlling factor but on how widely the seniority may be exercised. Can seniority be applied only within an occupation or a department or can it be applied in a broader unit, say the plant or the entire company? Can an employe use his seniority to "bump" or displace a junior man in another job or unit?

The types of seniority units agreed on and how they are woven together vary greatly from company to company and industry to industry, depending a good deal on the degree of job interchangeability or how readily workers in some occupations can handle the duties in others.

In general, unions seek the broadest units and rights to bump junior workers in order to provide the greatest job security for longest-service workers. The object is to prevent situations in which a long-service worker in one department may be laid off when there is a shortage of work for that department while a junior employe is retained elsewhere in the plant on a job the senior man could perform.

Management often wants to limit the amount of bumping to avoid "excessive" shifting about of workers with accompanying disruption and loss of efficiency. Unions usually argue that disruption accompanying bumping at layoff time is a worthwhile cost in return for the value of keeping longer-service workers. They often point also to the side benefits of bumping in the form of diversified experience and increased versatility gained in movement from job to job.

Another important use of seniority is in determining preference for advancement. Promotions and transfers used to be largely at management discretion, with management's selection challenged by unions only on grounds of favoritism.

But in recent years, union efforts have upgraded the weight given to length of service in filling desirable openings. In many companies length of service is

Seniority Rights in Plant Relations

Two recent court rulings serve notice that management may no longer be able to lightly deprive workers of job rights by moving their plants. The rulings hold that companies shutting down plants to move to new locations are obligated to recognize seniority rights of their old employes in manning the new plants.

In one case, a company transferred operations from New York to Pennsylvania after its union agreement expired. Several workers laid off from the old plant claimed rehiring rights with full seniority in the new plant, but were turned down by the company (Glidden's Durkee Famous Foods Division) on grounds their seniority rights were good only in the old plant and only while the agreement had been in effect.

The workers went to court, charging they were being deprived of employment and valuable accumulated pension and other benefits. The U. S. Appeals Court agreed with them.

The court drew an analogy to pensions, pointing out retired workers on a pension have a right to continued pensions after an agreement runs out or a plant closes. It ruled seniority is a vested right "earned" by employes, constitutes "valuable unemployment insurance" and, while such rights might be bargained away, they could not be unilaterally annulled by the company. The court held the workers were entitled to employment at the new plant with seniority and reemployment rights they had acquired at the old one.

In a second case, a District Court similarly ruled that employes in an abandoned plant have reemployment rights in a new plant. The company (Gemmer Division of Ross Gear and Tool Co.) was moving from Detroit to Tennessee. The laid-off employes asked that, under their contract clause giving rehiring rights after layoff, they be put to work in the new Tennessee plant with full seniority.

The court ruled in their favor, stating "the rights and benefits that have accrued to the individual employes persist and cannot be unilaterally denied by the employer without the employes' consent. Among these rights and benefits would be included the right of seniority or, as more specifically involved in this case, the right to be rehired after a layoff, as stated in the contract."

This company also argued that the agreement recognized the union only for the Detroit plant and so was inapplicable in the new plant. The court said the recognition clause was significant only for purposes of union recognition and did not limit the benefits and rights individual employes had been given by the agreement.

now the principal consideration, particularly where there is a fairly clear line of progression in which experience on one type of job prepares a worker reasonably for a step-up to a higher job.

Reliance on seniority in promotions does not mean the senior worker gets a job for which he lacks ability. It does mean the senior man gets first crack at a job opening and is then entitled to the job if he has the ability to perform it or to learn to handle it competently in a reasonable break-in period.

Even where seniority is not the foremost consideration in promotion, there has been a general increase of its importance. In some instances where the union agreement may state that seniority shall be one consideration or that ability governs, with seniority becoming decisive only where abilities are about equal, management may in practice actually rely on seniority except where there is a quite evident and generally recognized difference in abilities.

There are also many other areas in which a worker's rights often depend on his length of service. Among the most common are (1) order of choice of vacation period, (2) prior opportunity in selection of hours of work (days off or shift assignment are the most important), (3) first choice at overtime work and (4) preference for desirable work location, parking space, locker assignment, etc.

In the field of benefits, a certain minimum period of service is usually required for eligibility for almost all kinds of benefits. For some benefits, completion of the minimum period—ordinarily 30 days or less, but sometimes as long as a year—entitles the employe to the same level of benefits as the longest-service worker. This is typical of paid holidays and medical and life insurance protection, for example.

But for other benefits, the longer-service worker usually gets more liberal treatment. Vacations and pensions are prime examples. It is customary for longer-service workers to get longer vacations. The right to a pension on retirement for age or disability is contingent on completion of a specified number of years of service and often the size of the pension is in direct ratio to years of service. Other benefits often scaled upward according to service include paid sick leave allowances, severance pay and various types of bonuses.

Wage adjustments are also sometimes geared to service, with workers qualifying for automatic increases upon completion of specified periods of service on the particular job or with the company.

Advantages of the Seniority System

Is it desirable to base job retention and promotion rights and superior benefits on length of service?

On the question of benefits, there is little serious management-labor dispute on rewarding longer service with certain additional benefits. There are differences on particular benefits and on how sharply benefits should be graduated with service, but there is general agreement that more liberal benefits are warranted.

In selection for layoff, unions ordinarily want length of service to be the decisive criterion and management typically is now disposed to agree, although it often seeks to limit its application through restrictions on the scope of the seniority unit and through various exceptions.

On promotions, management is more inclined to balk on a decisive role for length of service. Some unions are less insistent on seniority for promotions, but in most unions' judgment a seniority standard for promotion makes more sense than such alternative yardsticks as "ability" or "merit."

The length-of-service rule has been criticized by some in management on grounds that, by favoring the older worker merely because he has longer service, it discourages incentive and encourages complacency, downrates ability and hampers efficiency by not making full use of newer, more efficient workers.

The validity of such criticism varies with the type of job and work force involved. The criticism also must be measured against the shortcomings of alternative methods of selection to determine whether, even if seniority rules do have certain flaws, they nevertheless work better than other bases for selection.

Under a seniority system, each employe knows where he stands in relation to other employes. Selection does not depend on the judgment or whim of a particular supervisor. Because length of service is easily measurable, it is a consistent and definite yardstick.

Seniority also is ordinarily better accepted by employes as a fairer basis for layoff selection than any other criterion and is therefore best for the morale of the worker group as a whole.

By contrast, efforts to base the order of selection on "ability," "merit" or some other subjective standard run into difficult problems of measurement and potential abuse. Indeed, under such systems age is often held against a worker; a long-service employe may be laid off or skipped over for promotion merely because of his age, even if he is equally or more able than younger men.

The "merit" criterion leads some employes to curry favor with supervisors and otherwise seek undeserved preferential treatment. The way is open to discrimination, to favoritism, to arbitrary selection under the guise of measuring "ability" or "merit."

This is true even where an employer may not consciously practice discrimination. The judgment of individual supervisors may be open to influence. Workers who are good self-advertisers are likely to fare best under such a system.

This type of situation normally encourages insecurity and dissatisfaction among most workers, often with more damaging effects on efficiency than flow from any seniority system.

Much criticism of seniority has been unwarranted for another reason. Problems arise not really because of seniority rules but simply because there are layoffs. It is the fact of layoffs, rather than the criteria used for selection, which is the troublemaker.

As long as some workers are dropped and others retained, there will be complaints against the criteria used for selection, whatever the criteria. Seniority, whatever its shortcomings, has gradually come to be recognized as the criterion which makes for the least criticism and dissatisfaction, which serves as a more clearcut, orderly and equitable means for layoff selection than any alternative method.

Seniority Rules and Efficiency

In any event, how true is it that reliance on seniority hurts initiative and efficiency? Obviously, the answer varies with the type of work involved and with whether contributions of seniority to efficiency offset any losses of efficiency.

For many jobs which call for specific duties with fixed time limits, particularly work on a machine-paced assembly line, differences in ability are not significant.

Seniority Effects on Labor Mobility

"There are fashions in problems as well as hats; and when any given problem is solved, an equal and opposite problem generally emerges. The matter of labor mobility is a good case in point. A generation ago, 'wasteful and destructive turnover' was seen as a primary evil. Today it is feared that workers have become badly immobilized. While 'turnover' may still be an ugly word, 'mobility' has taken on a favorable connotation, something like 'alkilinity;' and while 'stabilization' is still a virtue, 'immobilization' is a vice.

"It is said that seniority systems, health and welfare plans and negotiated pensions have chained the worker to his job; that the adaptability and flexibility of the labor force are being sacrificed; and that a new industrial feudalism is being built . . .

"Actually it is not very likely that these negotiated benefits (seniority status, pension credits) have had much effect on the quit rate. Most workers who quit their jobs are young in years and low in service. They do not have enough seniority to keep them from changing jobs; they have typically not reached an age where retirement is a real element in their thinking; and they have plenty of time to accumulate work credits after coming to rest. The older worker, on the other hand, is disinclined to change employment for a good many reasons even in the absence of seniority and fringe benefits—particularly the difficulty of securing another job, the probable loss of economic status and his settled way of life generally."—*Professor Arthur M. Ross in American Economic Review, December 1958.*

As long as such duties are performed competently, plant productivity is little affected by whether one worker has potentially more ability than another.

For types of work in which differences in ability may be important, seniority is often largely synonymous with efficiency. The longest-service employes generally are the most experienced, ablest and most reliable persons for the job.

Some years ago, Professor James J. Healey of Harvard University investigated 58 situations in which an arbitrator had set aside management's decision to promote a junior employe, on grounds of superior ability, over a senior employe.

He inquired of each of the companies involved, in each case at least three years after the arbitrator awarded the job to the senior man, to find out how the senior man made out on the job which management had not wanted to give him.

It might be assumed the companies would tend to justify their original choice of the junior man, but the large majority of the replies to Healey reported the senior employe proved himself able on the new job either immediately or in a short period.

Even more significant was a frank statement in most of these cases that management now doubted whether the junior employe it originally favored would have done any better on the job. Also, in half the cases the senior employe had already advanced since the disputed promotion to still higher-rated jobs.

In less than a quarter of the replies did management say it still thought promotion of the senior man was unsound.

Healey pointed out several reasons why the senior man worked out so well. Management may have been correct in judging the junior employe more able, but the extra ability may have had little to do with the job involved. Also, the fact of promotion may have stimulated the senior man to good performance. In addition, some companies pointed out the problem of determining relative abilities; the appraisal of abilities of the senior and junior employes depended a good deal on the particular supervisor.

One major point often overlooked is the constructive influence of seniority on workers' attitudes to technological change. Seniority systems assure the older, more stable part of a firm's work force it will not be laid off unless the layoff is a severe one cutting deeply into the work force and that it will get first opportunity at new or changed jobs.

They thereby help moderate or eliminate fear and opposition of the key part of the work force to introduction of new technology which may have labor-displacement effects. In the broad sense, this contribution that seniority makes to worker acceptance and cooperation in technological innovation has a decided plus effect on productivity.

If a company lays off its senior workers and retains junior men, it casts into the labor market the workers who probably are less adaptable and less mobile. Wholly apart from questions of equity, of human effects and of practical difficulties older workers have in getting new jobs, it is likely that laid-off older workers will contribute less to national efficiency than if retained in familiar work in which they have accumulated long service and experience.

Seniority and Mobility

Another criticism sometimes made of seniority is that it reduces labor mobility and in that way undesirably limits efficiency of the economy as a whole.

The economy functions best, this argument says, if labor is mobile, if workers respond to employment needs and higher wages in expanding industries or areas. But the older experienced workers are reluctant to change jobs even in response to offers of higher wages, it is contended, because they do not want to give up the security and benefits of accumulated seniority rights. Thus, the argument concludes, seniority practices in effect tie men to their employers and hamper worker movement needed for a flexible, expanding economy.

It is to some extent true that development of seniority rights has reduced the willingness of many long-service workers to give up their jobs to start on new ones. But it is questionable whether long-service employes ever had much willingness to move.

And curtailment of mobility is by no means automatically evil. The benefits of a stable work force and reductions in costs of turnover are considerable advantages, usually more than balancing economic losses from decreased mobility.

Wholly apart from the question of how much and what types of mobility are desirable, it does seem clear the effects of seniority on mobility have often been exaggerated. Long-service workers indeed may be reluctant to change jobs and risk starting anew in a different line of work or location. But, in the main, this is so whether or not they have seniority rights. The same factors which lead workers to stay with one employer for a long time tend to keep them there. Seniority rights may intensify their reluctance to leave, but rarely account for it in the first place.

Most mobility always has been concentrated among younger workers. Many young workers often shift from one job to another, not because they lack seniority but because they have not yet decided what they would like to do or have to do. At some point, they tend to stick to a job, develop family responsibilities and become settled in the community. At that point their mobility diminishes greatly, wholly apart from the question of seniority rights.

Professor Arthur Ross of the University of California, in examining decline in labor turnover rates in recent decades, concluded seniority has played a minor role in reducing labor mobility. His investigation found quit rates had always been low among employes with more than a few years of service—as far back as pre-World War I years when seniority rights were not a factor—and that declines in recent years have been due to curtailment of turnover among junior rather than senior employes.

STATE LAGISLATION ON INDUSTRIAL RELATIONS--

BRIEF SUMMARY OF MEDIATION LAWS

Fact Sheet No. 7-B

U. S. DEPARTMENT OF LABOR
Bureau of Labor Standards
Division of State Services
March 1963

STATE LEGISLATION ON INDUSTRIAL RELATIONS--
BRIEF SUMMARY OF MEDIATION LAWS

The overall trend in recent years in State mediation programs has been toward better staffed, better supported, and more effective mediation agencies. One of the reasons for this continued growth in mediation services is the essential nature of mediation itself--its character as a supplement to, but not a substitute for, collective bargaining. This has, for the most part, made it acceptable to employers and employees alike.

The first permanent State mediation agencies were established in Massachusetts and New York, as early as 1886, and by 1900 a total of 17 States had laws providing for administration of conciliation and arbitration laws through permanent State boards. By 1915 practically all of the States had some provision in their laws for a mediation program. However, this legislation, except in a few of the industrial States, lay largely dormant on the statute books until the past 15 or 20 years.

The most rapid growth in utilizing the powers granted under the laws has come since 1947. This is due largely to the Labor Management Relations Act, 1947, requiring a party to a collective bargaining agreement wishing to modify or terminate such agreement to notify not only the Federal Mediation and Conciliation Service but also "any State * * * agency established to mediate and conciliate disputes within the State."

Extent

Forty-six States, Puerto Rico, and the District of Columbia now offer some degree of mediation assistance, but there is wide variation in the laws, programs, and staffing of the mediation services available. Some States, notably those that have had long experience in industrialization, such as California, Massachusetts, Michigan, New York, and Pennsylvania, have built up well-staffed agencies and highly active programs. Many other States, however, have almost no staff or program for assisting employers and workers.

The laws under which the State agencies operate also vary. They range from provisions that simply authorize the labor department "to promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees," to long and comprehensive laws that establish a permanent board of mediation and set forth in detail its functions, powers, and duties. The Federal Mediation and Conciliation Service is the agency for the District of Columbia.

The four States that have no labor mediation service for disputes in industry generally are Mississippi, Missouri, Nebraska, and Texas.

Authorization

In most States the mediation program is founded on a statutory authorization, but in six of the States--Iowa, New Mexico, Tennessee, Virginia, West Virginia, and Wyoming--the program has grown up informally as a matter of custom or administrative practice on the assumption that the general powers granted by statute to the labor department are broad enough to include such authority. In West Virginia mediation is offered by the department of labor by order of the Governor.

In most States the department of labor is the agency which by law is directly responsible for mediation activities. Generally the grant of such authority is made directly to the labor commissioner but in 14 States and Puerto Rico, a separate and distinct board of mediation is placed in the department, and made subject to its jurisdiction, either by law or by administrative action. In a few States the mediating agency is either a completely independent agency, or mediating functions are placed in some agency other than that administering the main body of labor laws.

Participation

Most of the State mediation agencies take an active role in offering services to the parties as soon as they have knowledge of a dispute. Others, however, are required by law, or prefer in practice, to wait until one or both parties make a request for assistance.

About half of the States with mediation programs authorize or require the use of the technique popularly known as "fact finding," if mediation fails. Under such authority the mediation agency, or a specially appointed board of inquiry makes a thorough and objective study of the dispute and reports on it and makes recommendations. In some States the law specifically provides for assigning responsibility for failure to reach an agreement. In most of these States the results of the fact-finding inquiry are required by law to be made public.

Almost all the State mediation laws authorize the mediation agency to provide facilities for arbitration if mediation fails. The State agency is often directed to "promote" arbitration in such cases, act as an arbitration board, or name arbitrators if the parties so desire. Any submission to arbitration is voluntary, but if the parties agree to arbitrate, the laws will usually make the arbitration award binding and enforceable for at least a year unless it is rescinded by mutual consent of the parties themselves.

Public Utilities

Thirteen States have laws establishing procedures for mediation and arbitration of labor disputes in public utilities. These procedures generally start with mediation, and provide for fact finding or the establishment of special boards to help the parties find a mutually acceptable ground of settlement.

During the period of State intervention, strikes or lockouts are generally prohibited. If none of the voluntary procedures are successful, the laws of five of these States (Florida, Indiana, Nebraska, Pennsylvania, and Wisconsin) require submission of the dispute to arbitration, and those of four others (Massachusetts, Missouri, New Jersey, and Virginia) authorize the Governor to seize the facility threatened by a work stoppage. The Michigan law provides for voluntary arbitration, while the Hawaii, Illinois, and Minnesota laws rely on finding the facts and making them public if mediation fails. However, in a test of the Wisconsin law providing for compulsory arbitration, the United States Supreme Court ruled against the validity of this type of law on the ground that it conflicts with the Labor Management Relations Act. On the basis of this decision the laws in some of the other States have also been declared by the State courts to be inoperative in industries engaged in interstate commerce.

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FACT-FINDING IN LABOR DISPUTES: THE STATES' EXPERIENCE

HERBERT R. NORTHRUP

A PERSISTENT proposal to avoid costly strikes would have unions and management submit their disputes to impartial "fact-finding" by responsible third parties; if the disputants do not agree, the fact-finding may become compulsory, or be converted into an "investigation." In either case, the idea is that when the facts are known, agreement will be induced on the basis of the facts made apparent to unions and management, or if either or both remain obtuse to the facts, by public opinion forcing them to see the light.

Fact-finding has had its most complete exposure under the Railway Labor Act. Most observers agree that it has not worked in either the railroad or airline industry as the theory dictates.[1] In the first place, the facts are rarely in doubt—the interpretation thereof, however, is usually not only in doubt, but also in controversy, and not subject to objective determination (What is a fair wage? What pertinence is a contract provision in another industry?). In the second place, public opinion has not risen to enforce fact-finding recommendations. Rather, they have been ignored with impunity. And finally, instead of strengthening, or supplementing collective bargaining, fact-finding has tended to supplant it in the railway and airline industries. The parties no longer prepare to bargain; rather, they prepare for a fact-finding proceeding. Bargaining, if it occurs, is more likely after the fact finders report. Then if no agreement is reached, the fact-finding procedure is not available—it has been used up as part of the tactics of the parties.

Is this experience indigenous to the Railway Labor Act, or the railway or airline industries, or is it inevitable under fact-finding procedure? The question is significant because fact-finding remains a popular political remedy. Greater use of it in so-called emergency strikes has been suggested recently by

Fact-finding, as one of the traditional tools of government to adjust labor disputes, is evaluated in this study on the basis of a survey and analysis of the experience of the states. It is concluded that the device, if sparingly employed, may be useful to its purpose but can easily become a hindrance to effective collective bargaining if invoked indiscriminately and with too much frequency.

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[1]See, e.g., H. R. Northrup and G. F. Bloom, *Government and Labor* (Homewood: Richard D. Irwin, 1963), Chap. 12; David Levinson, "The Railway Labor Act—The Record of a Decade," *Labor Law Journal*, Vol. 3, January 1952, pp. 13–29; J. J. Kaufman, "Emergency Boards under the Railway Labor Act," *Labor Law Journal*, Vol. 9, December 1958, pp. 910–920, 949; and Herbert R. Northrup, "The Railway Labor Act and Railway Labor Disputes in Wartime," *American Economic Review*, Vol. 36, June 1946, pp. 324–343.

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the President's Advisory Committee on Labor-Management Policies, and by the Governor of Oregon, among others. Opponents regularly refer to the Railway Labor Act experience.

Besides the Railway Labor Act, considerable experience exists with fact-finding at the state level. The variety of state laws and diverse conditions provides good additional bases for determining how fact-finding might work under different conditions, and what pitfalls may develop in its administration.

DEFINITION

Fact-finding involves an investigation by a public body aimed primarily at discovering the issues, and usually making recommendations for their settlement. Finding areas of agreement is a primary duty of the fact finders.

Usually under fact-finding procedure, strikes and lockouts are forbidden, and the status quo is maintained until a period of ten to thirty days, after a report is made. Then the parties are freed of legal restraint.

A SUMMARY OF STATE LEGISLATION

The laws of twenty-eight states (Table 1) provide for some form of official investigation or fact-finding or both, where labor disputes remain unsettled or threaten to upset, inconvenience, or imperil a community; or where one party to the dispute simply requests "investigation." Under these laws, fact-finding has a variety of interpretations, some narrow, some broad. California, for example, with its well-developed and manned mediation staff, follows

a narrowly restricted definition of "investigation"...an assignment to develop information as to the nature of a dispute and the possible consequences of a work stoppage. This investigation is made preliminary to a decision to proffer or not to proffer the facilities of the [State Conciliation] Service in a labor dispute.[2]

On the other hand, statutes in Massachusetts and New Hampshire require their state mediation agencies to investigate a dispute and to issue a public report assigning responsibility for its continuance *after* mediation has not settled the dispute and one or both of the parties have refused the agency's proposal that the case be arbitrated.

In Michigan, Minnesota, and New York, fact-finding involves the traditional concept of holding hearings, and writing a report and recommendations. In other states, fact-finding is largely mediation in another form, with the "fact finders" actually a mediation panel.

The procedure, the method, and the experiences vary from state to state even where laws are written in similar language. The coverage of the laws also varies. In some states, the laws may be involved in any dispute. In others, only public utilities are within the jurisdiction of the fact finders. And in still others, the jurisdiction covers utilities plus "industries affected with a public interest." Wherever the covered industry lies within the jurisdiction of the Labor-Management Relations (Taft-Hartley) Act, the constitutionality of state fact-finding or investigation is in doubt.[3]

Besides the fact-finding provisions of state laws, there are many cases where state governors or mayors of large cities have appointed fact-finding commissions as a means of trying to resolve disputes which have seemed of serious consequence to the local citizenry. Such ad hoc fact-finding usually has no legal basis, but depends for its success upon the

[2]California, Department of Industrial Relations, *Third Annual Report of the Conciliation Service*, 1950, p. 5.

[3]See below, pp. 132–134 for a discussion of the problem of constitutionality.

Table 1. Fact-finding and Investigation by States.

State	*Summary of Statute*	*Character of Intervention*	*Comment*
Alabama	Governor may appoint a tripartite board of mediation.	Fact-finding to gather facts and make report and recommendation	Inactive
Arkansas	Commissioner of Labor may conduct investigations and hearings, publish reports, advertisements, etc.	Investigation and report	Inactive
California	Department of Industrial Relations may investigate and mediate labor disputes.	Investigation	California relies almost exclusively upon mediation. Investigation is used only to develop nature and possible effect of dispute prior to intervention.
Colorado	Industrial Commissioner may conduct investigation and hearings, publish reports and advertisements, etc.	Original compulsory investigation law passed in 1915, provided for notices, cooling-off period, and compulsory investigation and report.	The investigation functions have been infrequently utilized and more recently have rarely been invoked.
Georgia	Commissioner of Labor may conduct investigations and hearings, publish reports and advertisements.	Investigation and report	Inactive
Hawaii	Where Governor finds mediation has failed, he may appoint an emergency board to investigate and report on controversy.	Fact-finding, with recommendations	Active (special fact-finding provision for public utilities was ruled inoperative by the United States Attorney General while Hawaii was a territory).
Illinois	Department of Labor may investigate dispute and make findings and recommendations public if public utility, food, fuel, or other inconvenience to public is involved.	Investigation and fact-finding of emergency disputes	Inactive. State Mediation Service advised writer it had no knowledge of law.
Indiana	Commissioner of Labor may investigate disputes, publish reports, and do other necessary things.	Investigation and report	Inactive (note: Indiana also has a compulsory arbitration law which is inactive and inapplicable to utilities in interstate commerce, *Marshall* v. *Shricker*, 20 CCH Labor Cases, 66, 372, 1951).

State	*Summary of Statute*	*Character of Intervention*	*Comment*
Iowa	Either party to a dispute or persons affected may apply to the Governor for appointment of a board of conciliation and arbitration.	Fact-finding. Board of Conciliation and Arbitration's report is not binding unless parties so agree beforehand.	Inactive
Kentucky	Commissioner of Industrial Relations may hold hearings to determine the reason for the labor dispute and make public findings of fact.	Investigation and report	Inactive
Louisiana	A tripartite Labor mediation board may mediate unsettled dispute, and render unenforceable decision and make it public if mediation fails.	Fact-finding with recommendations	Relatively inactive
Maine	Board of inquiry may be set up if mediation is declined and if one of parties or interested persons affected request. Report can be made public.	Fact-finding and report	Inactive
Maryland	Commission of Labor may investigate dispute, determine which party is mainly blameworthy or responsible, and publish report in some daily newspaper assigning responsibility or blame.	Investigation and assignment of responsibility	Inactive (note: Maryland also has a seizure law affecting utilities which has been invoked only once).
Massachusetts	Tripartite Board of Conciliation and Arbitration, where no settlement is agreeable and parties will not arbitrate, shall investigate dispute and publish a report.	Investigation and assignment of responsibility	Active until found inapplicable to interstate commerce in *General Electric* v. *Callahan*, 294 F. 2d 60 (1962) (note: Massachusetts also has a "choice of procedures" law affecting utilities).
Michigan	Fact-finding by board composed of three disinterested persons and two nonvoting members, one from labor and one from industry. Findings not binding, but made public. Law applies to public utilities, hospitals, and government employees.	Fact-finding with recommendations	Law extensively used for hospital and government employees. Found inapplicable to utilities in interstate commerce in *Grand Rapids City Coach Lines* v. *Howlett*, 137 F. Supp. 667 (1955).
Minnesota	Fact-finding by three-man, tripartite commission where public interest, life, safety, or health involved.	Fact-finding with recommendations	Most active of state fact-finding agencies (note: Minnesota also has a compulsory arbitration statute applicable to hospitals only).

State	*Summary of Statute*	*Character of Intervention*	*Comment*
Missouri	Tripartite fact-finding panels may be appointed by parties and State Mediation Board.	Fact-finding with recommendations *but* if parties refuse to accept recommendations and strike threatens public interest, health, and welfare, Governor may seize utility—and then strikes are forbidden.	Active.* Seizure aspects found inapplicable to utilities in interstate commerce by U.S. Supreme Court, June 10, 1963. See n. 31 below.
New Hampshire	If parties refuse to arbitrate, Commissioner may investigate and issue a report assigning responsibility.	Investigation with assignment of responsibility	Fairly active, but future in doubt as a result of Massachusetts case.
New York	If Board of Mediation certified that it cannot settle a dispute by mediation, Industrial Commissioner may appoint a board of inquiry to make report and recommendations.	Fact-finding with recommendations	Active
North Dakota	Head of Labor Division of state may request Governor to appoint a mediation board which may issue report and recommendations.	Fact-finding with recommendations	Active. Applies to both private and public employees.
Ohio	Industrial Commission may investigate dispute, ascertain which party is responsible, and make that fact public. At request of one or both parties, it may make recommendations for settlement, and if not accepted, publish same.	Investigation, with assignment of responsibility; fact-finding with recommendations.	Relatively inactive
Oklahoma	Where a strike or lockout exists which causes injury or inconvenience to the public, the Board of Arbitration and Conciliation may investigate and publish findings and recommendations which will contribute to an equitable settlement.	Fact-finding with recommendations	Inactive
Oregon	Facilities of Labor Conciliator available to public employees and government agencies for "fact-finding purposes only."	Mediation and fact-finding	Public employees and licensed nurses in health care institutions only.
Rhode Island	Director of Department of Labor, with approval of Governor, may appoint Boards of Conciliation and Mediation to investigate and report on disputes.	Fact-finding with recommendations	Law invoked only twice in forty years, and in neither case was a board actually appointed.

State	*Summary of Statute*	*Character of Intervention*	*Comment*
South Carolina	Commissioner of Labor may appoint tripartite committee with himself as chairman to make findings of fact designed to induce agreement.	Fact-finding with recommendations	Inactive
South Dakota	Deputy Commissioner of Labor may investigate a dispute, make a report of the issues involved, and make recommendations public. He may do this alone or as chairman of a tripartite panel.	Fact-finding with recommendations	Inactive
Texas	Governor may appoint a five-man tripartite commission to investigate dispute and make report and public recommendations.	Fact-finding with recommendations	Relatively inactive
Washington	If the parties to a dispute refuse to arbitrate, Director of Labor and Industries endeavors to have each put in writing his position and why he refused to arbitrate.	Investigation by indirection	Relatively inactive

Source: State statutes, and field work relating thereto (including interviews with government officials, union officials, and employers).

*Discussed as a seizure statute in H. R. Northrup and Richard L. Rowan, "State Seizure in Public Interest Disputes," *Journal of Business*, April 1963.

prestige of the public official and the willingness of the parties to cooperate. For example, a citizens' panel appointed by the Mayor of Philadelphia in early 1962 resulted, with considerable pressure from both the Mayor and the Governor of Pennsylvania, in a settlement of the six months' strike between Yale and Towne Manufacturing Company and the International Association of Machinists. Here, mediation had clearly failed and no end to the dispute appeared in sight before the special panel led to settlement. On the other hand, those ad hoc interventions too often appear either politically inspired to bail out a faltering union strike or they are bumbling efforts on the part of well-meaning but ineffectual citizens who do not understand the issues and whose efforts may actually prolong, rather than help to solve, the dispute.

Many of the state fact-finding laws are virtually unused in practice and represent little more than a chance idea which was enacted by the state legislature without consideration of the law's role in dispute settlement and which is all but forgotten by the state administrator. For example, in Texas, one of the few states which has no mediation law or agency, the Governor is authorized, when a labor dispute arises, to appoint an "Industrial Commission" to hold hearings and to make a public report on the dispute. In Alabama, where the state does virtually no mediation, the Governor is authorized to appoint, or even to

sit upon, a tripartite fact-finding agency. In neither of these states do we have any record of such provisions being utilized. In Rhode Island, the Director of the Department of Labor may, subject to the approval of the Governor, appoint a board "for the consideration and settlement" of disputes not terminated by mediation. This law which was enacted in 1919, has been invoked only twice, but in neither case was a board actually appointed.

COMPULSORY INVESTIGATION IN COLORADO

The pioneer state fact-finding law passed in the United States was the Colorado Compulsory Investigation Act of 1915, which was modeled on a prior Canadian law. Under the Colorado act, employers and employees are required to give each other and a tripartite Industrial Commission thirty-days' written notice of any desired change in the terms and conditions of employment, and all such changes are prohibited until after the Industrial Commission has investigated, held a hearing, or by consent of the parties, arbitrated the dispute. After that the parties are free to strike, or to lock out, or to alter terms of employment. In 1943, Colorado enacted its Labor Peace Act, a comprehensive labor relations law, but the essential features of the compulsory investigation law were not changed.

Under the Colorado law, the Industrial Commission has jurisdiction over all labor disputes within the state. In addition, the commission administers all other state labor, social insurance, and welfare programs. Its reports cover a wide variety of functions, but do not provide much detail for most years on its activities in the labor relations field.

A study of the first eleven years of the Colorado act's history questioned the commission's effectiveness in major controversies and found that it was most successful where unions were weak and afraid to test their economic strength—the usual situation of the weaker party seeking government help. The authors of this study found the commission's records confused and incomplete, and doubted that the commission's claim of handling 1,157 cases between 1915 and 1924, with only 73 strikes or lockouts occurring, was an accurate reflection of its work. Very little fact-finding was done, and no effort was made to inform the public. Most investigations were perfunctory and mediation rather than fact-finding was usually attempted, if the investigation went beyond the initial stage.[4]

Later studies largely agree, concluding that the Industrial Commission actually did little fact-finding. Most of the cases were docketed pro forma, being in effect merely acknowledgment of notices of an impending desire to change an agreement or a notation that a dispute was no longer pending. Mediation was actually the principal dispute activity of the commission between two World Wars.[5]

Following World War II, the Industrial Commission's labor relations activity increased markedly with the temper of the times and the growth of industry in the state. But although the commission received over 4,000 notices of impending contract changes between 1946 and 1952—almost triple both the previ-

[4]C. E. Warne and M. E. Gaddis, "Eleven Years of Compulsory Investigation of Industrial Disputes in Colorado," *Journal of Political Economy*, Vol. 35, October 1927, pp. 657–683.

[5]See H. S. Kaltenborn, *Governmental Adjustment of Labor Disputes* (Chicago: The Foundation Press, 1943), pp. 193–196; and B. M. Stewart and W. J. Couper, *Fact Finding in Industrial Disputes* (New York: Industrial Relations Counselors, Inc., 1946), pp. 21–23.

ous and the following six years—its fact-finding activity remained negligible. Some typical Colorado reports are found in the exhibit.

Exhibit

Case Reports—Colorado Industrial Commission.

Case 4343. Amalgamated Association of Street, Electric Railway and Motor Coach Employees No. 1142 vs. Continental Bus System. Negotiations in this case were carried on outside of Colorado. The file consists of information designed to comply with Colorado laws.

Case 4344. Produce Drivers, Warehousemen and Helpers Local Union No. 452 vs. General Outdoor Advertising Co., Inc. Notice was received in this case but further information regarding the situation was not procured. We, therefore, closed our file at the end of the statutory period.

Case 4345. Amalgamated Meat Cutters and Butcher Workmen No. 634 vs. Safeway Stores, Inc., Cut-a-Corner Market, Colorado Springs Food Store and Piggly Wiggly Stores (Colorado Springs). Negotiations in this case resulted in a mutually satisfactory agreement.

Case 4346. Drivers vs. Zone Cab Company. A wildcat strike of short duration occurred. No notices were given but the file contains information concerning the situation.

Case 4347. Painters, Paperhangers and Decorators Local Union No. 284 vs. Boulder Contractors. Notice under the Industrial Commission law was received in this case. Subsequent information was not forthcoming. We, therefore, closed our file in the case when the laws had been observed.

Case 4348. Hod Carriers, Building and Construction Laborers Local Union No. 354 vs. Pueblo Contractors. This case turned out to be the same matter discussed in Case No. 4339.

Case 4349. Bakery Drivers and Salesmen's Union No. 219 vs. Merchants Biscuit Company. Negotiations in this case effected an agreement which is on file here. There was no dispute involved which could not be settled by the parties concerned.

Case 4350. International Ass'n of Machinists Lodge No. 86 vs. Illinois-California Express Company. This case was settled by representatives of the union and the company. No notice was served on the commission except by the Employers' Council.

Case 4351. Teamsters Union No. 17 vs. West Coast Fast Freight. Notices under the Industrial Commission law and the Colorado Labor Peace Act were regularly filed in this case. There being no request for a hearing or for mediation services, the case was closed at the end of the statutory period.

Source: Industrial Commission of Colorado, 1946–1948 Biennial Report.

The clerical nature of the Industrial Commission's activity, the insignificant cases which come to its attention, and its lack of concern as to whether the provisions of the compulsory investigation law are flouted are all clear from these cases. Apparently, it has not been the policy of the commission to concern itself with the last point unless a complaint is made.

Between 1915 and 1937, when a complaint of violation was made, the Industrial Commission had authority to request an injunction from a state district court in order to restrain illegal strikes, boycotts, picketing, or lockouts. A few of the commission's orders were concerned with such prohibitions. Then in 1937, the state courts ruled that the Colorado "Little Norris–La Guardia Act," passed in 1933, withdrew this authority from the commission.[6] Ten years later, this authority was revived by the passage of the Colorado Labor Peace Act.

The Colorado Labor Peace Act also charged the Industrial Commission with

[6] *Sixteenth Report of the Industrial Commission of Colorado,* 1938–1940, p. 13.

preventing unfair labor practices of both unions and employers, and with conducting representation and union-shop elections. Since then, the commission's principal labor relations activity has been the holding of elections. In fact, there has been no indication of any fact-finding in the biennial reports since 1950. It appears that Colorado's pioneer law is quite inactive in its most widely heralded sphere.[7]

FACT-FINDING IN MINNESOTA

The late 1930's saw young Republican leadership in Minnesota under Harold Stassen come to power, ousting an avowedly prolabor, farmer-labor administration. Among the factors which aided the Stassen candidacy were a series of violent trucking strikes in Minneapolis and St. Paul, and the feeling of many independent voters that the state government was unduly sensitive to union desires. Mr. Stassen's program, therefore, included "a better method" of handling labor disputes. In practice, this meant the enactment of the Minnesota Labor Relations Act of 1939—a law designed to eliminate antisocial activities of labor and management, and to provide an orderly settlement of labor disputes.

The Minnesota law, as amended several times, includes guarantees of free organization by employees and employers, unfair labor practice prevention aimed at both employers and unions, prohibitions against boycotts and jurisdictional strikes, a special compulsory arbitration procedure covering charitable hospitals,[8] an apparently never used law to insure democratic unionism, and the subject of this article, a procedure for mediation and fact-finding of labor disputes.

THE MINNESOTA FACT-FINDING PROCEDURE

The Minnesota Act established a Division of Conciliation supervised by a Labor Conciliator who, with his staff, is charged with mediating labor disputes. Until the law was changed in 1955 as a result of an adverse court decision,[9] the parties were required to notify the Conciliator if a strike or lockout impended and to maintain the status quo for ten days thereafter. At present the parties may merely petition for conciliation. If the Conciliator is unable to settle the dispute by mediation, he suggests arbitration. If this suggestion is not accepted and if the dispute is in an industry "affected with the public interest,"

which includes, but is not restricted to, any industry, business or institution engaged in supplying the necessities of life, safety, or health, so that a temporary suspension of its operation would endanger the life, safety, health or well being of a substantial number of people of any community,

the Conciliator must notify the Governor who may appoint a tripartite commission "to conduct a hearing and make a report on the issues involved and the merits of

[7]These statements are based on a careful analysis of the biennial reports of the Colorado Industrial Commission between 1936 and 1960. This analysis is also confirmed by H. Seligson and G. Bardwell, *Labor-Management Relations in Colorado* (Denver: Alan Swallow, 1961) who report "one of the functions of the Commission is to engage in preventive investigation and mediation; little of this has been done, although the 1915 law creating the Commission emphasized this function," p. 151. My analysis of the commission's records does, however, find support for more mediation and unfair labor practice activity on the part of the commission than did these authors.

[8]For a discussion of this arbitration law, see H. R. Northrup and Richard L. Rowan, "Arbitration and Collective Bargaining: An Analysis of State Experience," *Labor Law Journal*, Vol. 14, February 1963, pp. 184, 189.

[9]Automobile Workers v. Finklenburg, 53 N. W. 2d 128 (1952).

the respective contentions of the parties to the dispute."

The commission's report must be submitted to the Governor after twenty-five days and may be publicized by him. Strikes and lockouts are prohibited for thirty days after the Governor is notified of the existence of a "public interest" dispute, in order to give the commission time to report. If the Governor does not appoint a commission, strikes and lockouts are permitted five days after he is notified, instead of thirty.

This procedure is, of course, very similar to that of the Railway Labor Act, which was enjoying its unearned reputation as a "model law" when the Minnesota legislation was first enacted. An examination of the Minnesota experience indicates some of the same ills which befell its prototype on the railroads—overutilization, inhibition of collective bargaining, lack of the parties' respect for fact-finding recommendations, and lack of public interest in supporting those recommendations.

The Minnesota law began at a difficult time because, soon after its enactment, came the defense program, and then World War II. Early in this emergency period the Conciliator adopted a policy of considering any industry "affected with the public interest" where the employer was materially engaged in the production of defense items. Between 1940 and 1945, 167 commissions were appointed—70 between July 1, 1941 and June 30, 1942. If the commission's recommendations were not accepted, the case might be referred to the National War Labor Board. In any case, the war period provides no real guides to the act's effects.[10]

After World War II, an overeagerness to permit Minnesota's unions and employers to utilize the act persisted for several years. Table 2 shows that an annual average of 43 commissions were appointed between 1946 and 1949. Hotels and restaurants, manufacturing of every description, laundries, optical firms were found to be "affected with the public interest." After analyzing the first decade of the Minnesota law (including the war years), Professor Stieber found "considerable evidence . . . to indicate that factfinding procedure, as practiced in Minnesota, has hindered free collective bargaining." He found a tendency for the same unions and employers to appear before fact-finding commissions each year; for a high percentage of rejection of fact-finding commission reports; and for the Conciliator or the Governor, or both, then to step in and usually effectuate a settlement by compromise between what the commissions recommended and what the party holding out would take.[11]

Stieber's analysis, of course, is quite consistent with the findings, already noted, of most observers who have carefully studied the Railway Labor Act. If the parties learn to expect that a fact-finding board or commission will be appointed, they soon toss everything into the commission's lap rather than settle anything in collective bargaining. The fear is that anything conceded in bargaining or mediation will be used as a spring board for further concessions before the commission. If, however, the commission poorly gauges the relative strength of the parties, or otherwise turns in a report which is rejected by either or both parties, the real emergency occurs. For then, both collective bargaining and the emergency procedure

[10]J. W. Stieber, *Ten Years of the Minnesota Labor Relations Act* (Minneapolis: University of Minnesota Press, 1949), p. 23.

[11]*Ibid.*, pp. 22–23.

have been exhausted and nothing has been settled.

If, at this stage, a Conciliator or Governor or other public official is available to seek a settlement by putting pressure on one party to make further concessions, the tendency of the party seeking additional concessions to reject a recommendation of a fact-finding commission is further encouraged. Between 1946 and 1949 (Table 2), 45 percent of the cases for which fact-finding commissions were appointed pursuant to the Minnesota law, were settled on the basis of "modification by further conciliation," whereas only 23 percent were settled on the basis of the commissions' reports.

By 1950, the administrators of the Minnesota law were determined to improve the effectiveness of the fact-finding commission procedure by giving "a more strict interpretation of the legislative intent."[12] The following year the Conciliator pointed with pride to the fact that "there has been a continued decrease in the number of disputes referred to fact-finding commissions. This section of the law has been given a more strict interpretation in an attempt to make it more effective."[13]

Table 2 shows that since 1950, there has been a steady decline in the use of fact-finding commissions. There are several reasons for this; one is the new policy of the law's administrators. Certainly, they are correct in stating that the more commissions appointed, the weaker their effectiveness. During the first ten years of the act, public opinion did not rise to support commission recommendations nor did strikes decrease as compared with other areas or states.[14] If the fact-finding commission is to be of even limited service, it must be used most sparingly.

[12]State of Minnesota, Division of Conciliation, *Annual Report, 1949–1950*, p. 9.

[13]*Ibid.*, 1950–1951, p. 27.

[14]Stieber, *op. cit.*, pp. 17–23.

Table 2. Fact-finding in Minnesota, 1946–1960.

Year	*Number of Commissions Appointed*	*Number of Reports*	*Dispute Settled on Basis of Commission Recommendation*	*Dispute Settled by Conciliation or Other Modification of Commission Recommendation*	*Strike Occurred*	*No Record of Result*
1960–1962.....	2	2	2			
1958–1960....	1	1*	1*			
1956–1958....	5	5	2†	1†	2	
1954–1956....	2					2
1952–1954....	10					10
1951–1952....	8	8	6	1	1	
1950–1951....	10	9	3	5	1	
1949–1950....	15	13	7	4	2	
1948–1949....	44	29	7	10	12	
1947–1948....	52	33	6	16	1	10
1946–1947....	37	34	8	17		1

Source: State of Minnesota, Division of Conciliation, Annual and Biennial *Reports*.

Notes: 1939–1940 data not clearly distinguished. 1941–1946 data not comparable because of war situation and activities of War Labor Board.

*Listed in reports as 13 disputes—actually one multiemployer dispute.

†Statistics not clearly categorized, distinguished by estimate.

Another reason for the declining use of fact-finding commissions in Minnesota since 1950 has been the general lack of serious strike situations. The most important stoppages in Minnesota since then have been steel or mine strikes under national bargaining, in which the state has been helpless to intervene. The 1950's were a decade of relative labor peace in Minnesota as in the rest of the United States.

Finally, like most states with strike control laws which have not been ultimately tested in the courts, Minnesota is loath to bring about a final test of constitutionality by forcing the issue through the appointment of fact-finding commissions which are unacceptable to the parties. Most appointments in recent years have not been opposed by the parties. In such instances, of course, with compulsion lacking, fact-finding has its greatest opportunity to achieve—actually through a sort of intensified mediation—an acceptable settlement. This is a far cry from the traditional theory of fact-finding which assumes that an impartial commission can, by discovering the facts and publicizing them, induce the parties to agree to a rational settlement.[15]

FACT-FINDING IN NEW YORK

Fact-finding in New York State dates back to 1887 under a law providing for mediation, arbitration, and "investigation" of labor disputes. This authority was later placed in the hands of the State Industrial Commissioner, who is empowered to "inquire into and report on the causes of all strikes, lockouts, and other industrial controversies and labor disputes, and may appoint boards of inquiry for that purpose." In 1941, the law was amended to provide that boards of inquiry may be appointed by the Industrial Commissioner only after the State Board of Mediation certifies "that its efforts to effect a voluntary settlement of the dispute have been unsuccessful."[16]

New York has generally made restrained use of fact-finding. In most cases boards have been appointed because of strikes heavily affecting a particular community, or because a strike involved a problem which was especially difficult to resolve (see Table 3). By contrast, Minnesota has appointed more fact-finding commissions in some months than New York has appointed in twenty-five years.

New York has not had the same experience in having the recommendations of fact finders rejected, which has been a recurring problem in Minnesota over the years. There are several reasons for this. In the first place, because New York has appointed so few boards of inquiry, they have not become commonplace; therefore, when they are appointed, their importance and the consequences of rejecting their recommendations have been dramatized quite vividly. An additional result of such infrequent use has been that the parties have been unable to feel sufficiently assured that a fact-finding board will be appointed, so they have not tended to substitute the fact-finding procedure for collective bargaining.

[15]For a different view of the Minnesota law and its alleged effectiveness, see Joseph Lazar, "Tripartitism in Minnesota," *Industrial Relations*, February 1963, pp. 119–126; and for a criticism of Professor Lazar's view, see this writer's comment, *ibid.*, October 1963.

[16]For a good discussion of fact-finding in New York State, see Arthur Stark, "Fact-finding in Labor Disputes," *Labor Law Journal*, Vol. 3, December 1952, pp. 859–871. Acknowledgment should also be made to Mr. Eric Schmertz, former member of the New York State Board of Mediation, for helpful information.

Table 3. Fact-finding in New York, 1937–1962.

Company	*Union*	*Year*	*Issues*	*Settlement*
Brooklyn Daily Eagle	Newspaper Guild, CIO	1937	Wages and Conditions	Member of Board of Mediation designated as chairman of panel but acted as mediator and settled case.
Ludwig Bauman & Co. Furniture retailers	Teamsters, AFL Building Service Employees and Furniture Workers, CIO	1937	Jurisdictional and/or representation disputes	Furniture workers backed down after strike over validity of arbitration award which fact-finding board sustained.
F. W. Woolworth & Co. (124 stores)	United Retail and Wholesale Workers, CIO	1938	Wages and benefits	Fact finders mediated dispute and helped to provide data for settlement.
Woodlawn Cemetery	United Cemetery Workers, CIO	1938	Validity of contract	First case in which a tripartite board was appointed; labor member mediated case by getting union to recognize validity of contract.
Bell Aircraft Corp.	United Automobile Workers	1949	Long strike. Back to work movement. Contract renewal.	First board of inquiry under 1941 law mediated agreement which called for arbitration of some issues, negotiation of others.
Realty Advisory Board	Building Service Employees Union	1950	Wages and conditions	Parties agreed to a voluntary fact-finding panel to end strike. Report of panel accepted.
Yonkers Bus Co.	Transport Workers Union	1950	Wages and conditions	Tripartite fact-finding board set up on urging of chariman of State Mediation Board. Board report not unanimous. Strike continued and was settled by mediation later on somewhat different terms than proposed by fact finders.
New York Shipping Association	International Longshoremen's Ass'n.	1951	Rejection of new contract by some locals who staged wildcat strike	ILA wanted President to set up emergency board but was refused. Then New York State intervened and a board of inquiry was appointed. Board mediated between factions to get strike over. Then heard case and issued long report on longshore conditions.

Company	*Union*	*Year*	*Issues*	*Settlement*
Rochester Transportation Co.	Amalgamated Ass'n. Street Electric & Motor Coach Employees	1952	Wages and conditions	Dispute settled on basis of board report.
Milk Companies	Teamsters	1957	Wages and conditions	Dispute settled same day board of inquiry appointed.
Long Island Railroad Co.	Brotherhood of Railroad Trainmen	1960	Hours	Board of inquiry appointed after emergency board under Railway Labor Act had reported and union struck rather than accept recommendations. Strike finally settled in Governor's office after many officials "got into act" over one month period.

Source: Arthur Stark, "Fact Finding in Labor Disputes," *Labor Law Journal,* Vol. III, December 1952, pp. 859–868; and files of New York State Board of Mediation.

Another reason why New York boards of inquiry have been relatively successful, at least in terms of achieving settlement on the basis of the fact finders' recommendations, is that they have usually been appointed at that period of time in a dispute when the parties themselves were looking for a way out. Fact-finding in New York has actually been used more as a final mediation procedure than as a formal method of investigating and reporting the facts.

With this interesting record, it is unfortunate that New York State chose to interfere in the Long Island Railroad case in the summer of 1960, for this intervention raised the question of jurisdiction in a manner which may imperil the future usefulness of the New York procedure. Under long-standing federal law, all railroads are within the sole jurisdiction of the Railway Labor Act. An emergency board had reported on this dispute, after which the Brotherhood of Railroad Trainmen had rejected the report and had instituted a strike which closed the railroad. The strike had been in effect for several weeks with resulting inconvenience but with surprisingly little serious difficulty for the thousands of commuters who seemed somehow to reach their jobs by other means of transportation.

As a tactic, the National Mediation Board announced it was discontinuing its efforts to try to settle the strike, undoubtedly in the hope that this would help bring the parties to agreement. Instead, New York State leaped into the fray; the Board of Mediation entered the case and, on the same day, certified that it could not settle the dispute by mediation. The State Industrial Commissioner then appointed a board of inquiry.

Quite likely, either the railroad or the union could have obtained an injunction precluding the state from proceeding with its inquiry.[17] Instead, they both attempted to cooperate with the state as well as with the federal government. The latter promptly reentered the dispute, in

[17]For a discussion of this constitutional question, see below.

which it had never really released, and actually could not release, jurisdiction. The state fact finders issued a quick report and recommendation which was promptly turned down by the union membership.

As A. H. Raskin of the *New York Times* pointed out in a cogent analysis that this competitive fact-finding served to hinder rather than help settle the dispute:

In the eight months since the controversy over a shorter workweek began, everyone from President Eisenhower to the Supervisor of the Town of Babylon has tried his hand at settling it. The overlapping peace efforts are suspected of having been a major factor in fortifying the "all-for-nothing" position taken by the two Long Island lodges of the Brotherhood of Railroad Trainmen.

The union based its strategy on an expectation that one politician or another among those who moved into the picture would put sufficient heat on the railroad to force a quick capitulation. However, the relative ease with which subways, buses and car pools swallowed up the displaced commuters was credited with causing a falling-off in the anxiety felt by state, city, and county officials....

The lack of liaison among the would-be peacemakers proved particularly costly in the make-or-break developments of the last two weeks. And the man both sides considered best qualified to effect an accord [the Chairman of the National Mediation Board] found himself repeatedly pushed off-stage by Governor Rockefeller and other officials.[18]

INVESTIGATION AND ASSIGNMENT OF RESPONSIBILITY IN MASSACHUSETTS

Massachusetts typifies a special type of fact-finding. When mediation fails and the parties cannot agree on other means of settlement, the mediation agency may make an investigation and may publish a report assigning the blame or the responsibility for the existence or the continuance of the controversy. The theory is that either the threat of such public censure or such censure itself by a governmental agency will have the effect of inducing a recalcitrant party to move toward settlement. The results do not seem to bear out the theory.

Public opinion to influence a settlement is difficult to mold. Experience under the Railway Labor Act, the Taft-Hartley Act, and various state laws would seem to indicate that unless the public is made to feel directly and dramatically involved, appeals to "public opinion" are not likely to produce results. Moreover, frequent use, or use for minor disputes, soon causes the public to lose interest and to regard the whole procedure as commonplace even when a major dispute does occur.

The following is a typical Massachusetts assignment of responsibility notice:

After a thorough investigation, followed by a public hearing at the Town Hall in Clinton...for the purpose of determining which party is to blame for the continuance of the strike at the Colonial Press, Inc., and after listening for three hours to testimony from all persons desiring to be heard, and carefully weighing every bit of evidence that could be deduced from that testimony together with the facts established by our investigation, the Board is forced to place the blame on the Colonial Press, Inc.[19]

It would seem too much to expect the public to become excited over a pronouncement of this character, which tells nothing of the history, the issues, or even the parties involved. As an opinion mobilizer, such an investigation notice is not likely to have much effect.

In addition to its failure to mobilize

[18]*New York Times,* July 19, 1960.

[19]Quoted by Kaltenborn, *op. cit.,* p. 191.

public opinion effectively in favor of dispute settlement, the administration of the Massachusetts law has raised considerable question as to the general appropriateness of an investigation provision. For by its very nature, such investigation demands a very high measure of *expertise* and impartiality. To assess responsibility for the continuance of a strike demands that one make a value judgment on a very great number of issues where there is no question of right or wrong, but rather the question of whose views shall prevail. For example, if the union desires to limit the employer's right to subcontract work and the employer feels that to yield would threaten the profit margin he regards as necessary to operate the business, the fact that other labor agreements in the area may or may not have a provision on this subject is a bench mark but no criterion on which one can "blame" either party for not yielding. There are hundreds of such issues involved in labor negotiations. And neither the Massachusetts Board of Arbitration and Conciliation nor any other agency or person has ever defined a "fair wage" satisfactorily to a party who desired to disagree.

The fact of the matter is that investigation and assignment of responsibility open the door to all sorts of partiality and political pressure and chicanery. To avoid such abuse, appointments to an agency of the highest caliber and professionalism are obviously required. Whether Massachusetts meets this qualification is debatable. As a tripartite agency, the Massachusetts Board is composed of a majority of partisans, each of whom is very unlikely to blame the group he represents for the continuance of a dispute. Consequently, assignment of responsibility has become a matter of pressure on the chairman, with the merits of the case subordinated to union, management, and political pressures. Moreover, the appointment of a number of political personages, not necessarily skilled in industrial relations, to the Massachusetts Board in recent years has not generated confidence in its decisions. In any case, a recent court decision will probably have the effect of doing away with the use of the investigation function of the Massachusetts and similar state laws, except in purely local situations.[20]

MEDIATION PANELS IN NORTH DAKOTA—PRIVATE AND PUBLIC

In 1953, North Dakota adopted a law providing for investigation of labor disputes by the Head of the Labor Division of the Department of Agriculture and Labor. Such investigation usually involves an attempt to mediate the dispute. If mediation fails, the Head of the Labor Division may certify the cases to the Governor for the appointment of a panel to mediate such disputes, or otherwise attempt to resolve them.

The Governor's mediation panels handled approximately fifteen disputes between 1953 and 1960, most of which involved small intrastate situations.[21] In such situations, fact-finding is actually an adjunct of mediation. The mediation panels supplement the Labor Division Head who is the one-man state mediation staff. They perform further mediation work when he feels unable to effectuate a settlement. Whether parties will "save something" for panel mediators

[20]See below, for a discussion of this decision.

[21]North Dakota State Department of Agriculture and Labor, *Biennial Reports of the Deputy (Labor) Commissioner*, 1952–1960. Since 1962, the Labor Division has been made a separate department, and the fact-finding provisions are administered by a Labor Department Commissioner.

and thus render ordinary mediation ineffective remains to be seen.

North Dakota's law also applies to all public employment under state jurisdiction, including municipal employment. It provides for the appointment of tripartite "mediation boards," whose job it is to find facts and make recommendations for the settlement of such disputes. The law also contains a strong prohibition against public administrators' interfering with the right of employees to organize and to bargain collectively. This portion of the law does not appear to have been invoked much, if at all.

FACT-FINDING IN MICHIGAN: HOSPITALS AND PUBLIC EMPLOYMENT

In both the hospital and the public employment fields, Michigan has had the most extensive fact-finding experience. Procedures to handle disputes in both these areas have been largely ignored by both the federal and state governments until recently. Hospital employee relations have been especially unattended. Section (2) of the Taft-Hartley Act specifically excludes from its jurisdiction nonprofit hospitals. In its decisions, the National Labor Relations Board has declined jurisdiction over proprietary hospitals unless they are vital to national defense, located in the District of Columbia where the NLRB acts as a local agency, or operated in connection with an interstate business.[22] And, of course, government-owned hospitals are excluded from NLRB coverage by the general exclusion of all government employment from the act.

Michigan is one of the four states[23] to step actively into this vacuum, which with the growth of hospital care has become a significant part of our economy, with 6,786 hospitals controlling $15 billion in assets and employing 1,460,000 persons.[24] Under the Michigan statute, non-governmental controlled hospitals are handled under one procedure; state- or municipal-owned hospitals under another. Federally operated hospitals are, of course, outside the pale of the Michigan law.

Insofar as non-governmental hospitals are concerned, the Michigan law establishes a Railway Labor Act—like procedure which requires prior notice of proposed contract changes or threatened strikes, urges the parties to settle disputes by bargaining, provides for mediation by the Michigan Labor Mediation Board or its staff where bargaining does not succeed, and directs that the mediators must urge arbitration if the dispute is not settled by mediation. If either party refuses arbitration, the Michigan Board so reports to the Governor who is required to set up a fact-finding commission composed of three public representatives and the parties may each add a non-voting member. No strikes or lockouts are permitted until thirty days after the report and recommendations of the commission.

Table 4 shows that the number of Michigan fact-finding commissions appointed in hospital cases has risen since 1958. This trend may well continue because hospital employees remain one of

[22]A discussion of the jurisdiction question is found in the excellent article by Hyman Parker, "The Laws Governing Labor-Management Relations in Michigan Hospitals," *Labor Law Journal*, Vol. 12, October 1961, pp. 974–975.

[23]Minnesota, as noted, provides for a compulsory arbitration procedure for hospitals. In 1963 New York adopted compulsory arbitration for hospitals located in New York City only. In 1961 Oregon established a mediation and fact-finding procedure applying to "licensed professional and practical nurses employed in health care facilities."

[24]Parker, *op. cit.*, pp. 972–973.

Table 4. Fact-finding in Michigan, 1956–1961.

Year	*Public Employees Fact-finding Reports*	*Hospital Employee, Governor's Commission Reports and Recommendations*
1956.....	4	
1957.....	0	
1958.....	3	1
1959.....	3	2
1960.....	11	3
1961.....	17	6
1962.....	10	5

Source: Michigan Labor Mediation Board.

the largest and lowest paid groups in the country among which union organization is slight.[25] Moreover, Michigan fact-finding commissions for hospital cases are likely to increase in number because, if the hospital does not consent to a representation election, the only way a union of hospital employees in Michigan may achieve legal recognition as bargaining agent is to threaten to strike, achieve through this means the appointment of a fact-finding commission, and then if the hospital refuses a representation election, again threaten to strike. At this point, the Michigan Board must take a strike vote which the Michigan courts have construed as a representation election also because the issue on the ballot is stated in terms of desiring a strike because of the hospital's refusal to recognize the union.[26]

Where state or municipally owned hospitals are concerned, the procedure in Michigan follows the one generally applicable to state employee relations. The Hutchinson Act of Michigan of 1947 strictly forbids work stoppages for employees of the state or its subdivisions, but provides a means whereby such employees may secure mediation or fact-finding of their disputes. Moreover, if the majority of the groups of state government employees petition the Michigan Labor Mediation Board to mediate their grievances, the public employer must attend the mediation hearing and must discuss the issues with the employees or their representative. The employee representative is, of course, usually a union. The public body, as the employer, need not sign a union contract, although some have done so. Typically, the public body issues a statement embodying the results of the discussion with the union and/or employees.[27]

In 1954, the Michigan Labor Mediation Act was amended to provide a fact-finding procedure for government employees. When mediation fails to resolve a dispute, either the public body or the employees may petition the Labor Mediation Board for fact-finding. The Board may then require the parties to present their case to one of its hearing officers in a formal hearing. The hearing officer's report goes to the parties and to the Labor Mediation Board. The parties then have ten days to file written comments with the Board, which reviews the entire record and issues findings of fact and recommendations. Although such recommendations are not binding, and although the union cannot strike, the employer is usually a municipal public

[25]Probably less than 5 percent of the hospitals have union contracts according to a 1960 survey of the American Hospital Association. Parker, *op. cit.*, p. 973.

[26]SCME, Local 1644 v. Oakwood Hospital, Wayne County Circuit Court, Michigan 1960, Cited in Parker, *op. cit.*, pp. 982–986. Parker's article contains a good account of this case and others involving hospitals under the Michigan law.

[27]See Hyman Parker, "The Role of the Michigan Labor Mediation Board in Public Employee Labor Disputes," *Labor Law Journal*, Vol. 10, September 1959, pp. 633–642.

body advised by a state agency as to what it should do to settle its labor problem. The experience has been that such recommendations are persuasive.

Since 1956 an amendment provides that public-employee disputes may go to tripartite mediation panels instead of to the more formal hearing officer system. This procedure, however, requires prior agreement of the public employer and this has not been usual.

Table 4 shows a marked increase in Michigan fact-finding reports involving public employees commencing in 1960. The financial crisis in Michigan has perhaps made the settlement of such disputes difficult, but by providing a reasonable method of settlement Michigan has undoubtedly eased a difficult period. It remains to be seen whether fact-finding in Michigan will assist hospitals, public bodies, and their employees to settle disputes, or whether it will become the method of settlement. If the latter turns out to be the case, would the finality of arbitration be preferable?

CONSTITUTIONAL ISSUES

In 1951 the United States Supreme Court ruled that the Wisconsin Public Utility Arbitration Act was inoperative in interstate commerce because the Congress, through the Taft-Hartley Act, had preempted the field.[28] In two significant judicial decisions, as well as in an opinion of the Attorney General of the United States, this same reasoning has been applied to state fact-finding legislation.

On the basis of the Wisconsin decision, the Attorney General of the United States ruled in 1952 that Hawaii, then a territory, could not apply its public utility fact-finding law in industries covered by the Taft-Hartley Act.

Then, in a significant case, the Michigan Labor Mediation Board was enjoined from asserting fact-finding jurisdiction over state public utility businesses which are within the jurisdiction of the Taft-Hartley Act. A federal district court ruled that the fact-finding function of the Michigan Board was the same as the Wisconsin arbitration procedure except that the results were not binding; that a utility would be subject to considerable pressure to settle on the basis of a fact-finding report, but that under federal law, it was entitled to a settlement after "free and unfettered collective bargaining." Hence the conflict between state and federal provisions ruled out jurisdiction of the state.[29] The case was not appealed, and henceforth Michigan confined its fact-finding activities to areas outside the purview of Taft-Hartley, that is in hospitals and state and municipal employment.

A similar federal-state conflict caused the Massachusetts investigation law to be enjoined from applying to activity in interstate commerce. This case involved an action in 1960 by the then Governor of Massachusetts, who at the request of the American Federation of Technical Employees, asked the Massachusetts Board of Conciliation and Arbitration to investigate a dispute between this union and the General Electric Company's Lynn, Mass., plant and to assess responsibility for its continuance. General Electric appealed to the courts, which found a clear federal-state conflict. Said the court of appeals, first circuit:

The obvious statutory purpose is to coerce agreement by invoking official

[28]Amalgamated Association v. Wisconsin Employment Relations Board, 340 U.S. 383 (1951).

[29]Grand Rapids City Coach Lines v. Howlett, 137 F. Supp. 667 (1956).

action to mold public opinion with respect to a labor dispute to the end of bringing the pressure of public opinion to bear to force a settlement. This is quite contrary to the national policy not to compel agreement but instead only to encourage voluntary agreements, freely arrived at after "good faith" bargaining between the parties. The conflict between state and federal policy is obvious.[30]

On June 10, 1963, the Supreme Court invalidated Missouri's "King-Thompson Act," which, as noted in Table 1, provides for a fact-finding procedure involving public utilities, and then permits the state to seize the utility if the Governor believes that the dispute will tend to create an emergency. The court found that the seizure was merely of token variety and that the net effect was to deprive public utilities employees of the right to strike which was guaranteed by the Taft-Hartley Act.

The net effect of the decision is to narrow once more the area of allowable state action in public interest disputes. This would seem to indicate that the already cited lower court decisions invalidating state fact-finding legislation in jurisdictions covered by the Taft-Hartley Act would probably find a favorable reception in the United States Supreme Court.[31]

It would thus appear that unless Congress enacts enabling legislation, or unless the above cases are reversed, state experimentation in fact-finding must be confined to local disputes or to special areas such as hospital or government employment. This appears unfortunate.

[30]General Electric Company v. Callahan, 294 F. 2d 60 (1962).

[31]Division 1287 of the Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America v. State of Missouri, U. S. Supreme Court, June 10, 1963, *Daily Labor Report*, June 10, 1963, pp. E-1–E-3, reversing Missouri Supreme Court 361 S.W. 2d 33 (1963).

CONCLUDING EVALUATION

State experience in fact-finding legislation adds considerably to our knowledge of this technique. The value, first of all, appears greatest where its use is most limited. When it becomes commonplace, as it was at first used in Minnesota, it is more crisis-creating than crisis-solving, for the knowledge that a fact-finding board will be named is an invitation to refuse to settle, or even to bargain, until after the fact-finding report has been made. It is so much easier to refuse to settle if the result of such refusal is not a strike but only the appointment of a fact-finding board. Then a dissatisfied or aggressive party can use the fact finder's report as a springboard for more. Fact-finding, under such circumstances, may actually be of negative value, for it can induce crises, instead of avoiding them.

On the other hand, if the administrators use restraint, fact-finding can be a useful tool when parties are looking for a means of restoring their relationships. Usually this is where a strike has occurred and the will to settle is present, but mediation has been unable to find the mechanism for settlement. Here, fact-finding, adroitly handled, can provide the means, the face saving, or the persuasion to end a dispute. But here again, too much use can perpetuate strikes by calling for fact-finding when its utility is questionable. With headlines screaming and inconveniences irritating the public, such calls are difficult to resist. Yet, dimishing returns set in fast. A governor or administrator who automatically pushes the panic button or who yields to every pressure to appoint fact finders is likely to find that he has created a monster which in time will bring him more headaches than glory.

Where fact-finding is used, as in North Dakota, merely as additional mediation, it has merit because it provides staff help to situations where mediation facilities are in relatively short supply. On the other hand, too great a dependence on panels of this sort for mediation can make the regular mediator's job pro forma, with the parties holding back for settlement until the final mediators have an opportunity to hold their sessions. As in more traditional fact-finding situations, this type of fact-finding, if overutilized, may induce one party to refuse to reduce its demands in the hope of obtaining more—and without fear of losing anything—and another to refuse to grant minor concessions in order to save something for the final mediators or fact finders. The cumulative effects of these attitudes can soon make a mockery of collective bargaining.

Perhaps a cardinal weakness of fact-finding is that the facts are rarely in doubt. The parties are usually reasonably aware of the issues, but their interpretations and their ideas concerning the effects of these facts on the future are not only likely to be divergent but also not subject to a factual test. To assume that the facts of a case, if known, will settle a dispute is quite naïve. Pressure and mediation are more likely the ingredients for obtaining settlement, especially if used at the right time and place, by the right person in the right way. This is why mediation by fact finders is often the most effective use of the fact-finding technique.

It would seem that the shortcomings of competitive fact-finding boards and of investigating in order to cast blame are too obvious to require additional comment. Constitutional restrictions have apparently solved these problems where administrative overeagerness, glory hunting, or political manipulation replaced reasonable restraint and concern. On the other hand, constitutional restrictions now limit valuable experimentation to a degree which appears undesirable.

The activity of the Michigan Labor Mediation Board in the hospital and public employee field is likely to increase because unions in these areas either are too weak or are under such legal restraint as to render them dependent upon government machinery for growth or even existence. To what extent the government should foster union growth in these areas remains an unanswered question, which, in turn, begs the question of the extent to which fact-finding in Michigan does aid union growth. Certainly, it does seem that if strikes are banned, as they are by Michigan's Hutchinson Act for public employees, or if at least emotionally they are almost intolerable, as they are in hospitals, a substitute method of settling disputes is appropriate. In these situations, collective bargaining may become, as it often does, seriously inhibited by the existence of the governmental fact-finding machinery. In such instances, however, there is no reason why we should expect the parties, who in practical terms do not have the rights of private parties, to act as we expect labor and management in private industry to behave. In short, the differences of public and hospital employment from private employment may be such that collective bargaining, as we know it in private industry, cannot work in the hospital and public field, anyway. Therefore, the Michigan experience is likely to prove both interesting and helpful.

EV-C Coll. Barg.

Joint study groups and human relations committees created by unions and employers have stirred interest as a new development in collective bargaining. As an innovation to meet changing problems, this approach reflects a vitality and flexibility in collective bargaining. But also because of this very newness and the magnitude of the problems involved, the new approaches still must meet the hard test of experience.

Nevertheless, the joint study approach is far enough along to consider several questions: Why do they come into being? What are their functions and powers? How are they working out?

First of all, the approach is not new. One of the most successful joint labor-management committees dates back to the 1920s. But the idea of the joint study approach has been spreading rapidly since 1959. These committees now function in the steel, meat-packing, auto, rubber, electrical manufacturing, construction and machinery industries. Other industries are exploring the idea.

If there is anything common to the various joint study groups, it is that they are created as a pragmatic response to real and urgent problems.

In many cases, automation and technological change confront negotiators with problems so complex and overwhelming as to be almost unsolvable under the usual bargaining pressures and procedures. In such situations, it becomes logical to remove such formidable problems from the atmosphere of deadlines and refer them to joint committees. Away from the tension of negotiations, union and employer representatives can freely discuss and better define these longer-term problems and shape possible solutions.

But if the joint approach is evidence of a common interest on the part of the union and the employer, it also represents a recognition that conflicts of interest exist.

To the employer, automation promises sharply reduced costs, greater operating efficiency and rising profits. And he would wish to introduce cost-cutting techniques as rapidly as possible.

To the workers and their union, however, automation in some cases has proven devastating. In general, it threatens production standards and job security. The worker's concern is over layoffs, plant closings, changes in job content, loss of skill, loss of income, reduced opportunities and even the permanent loss of his job.

However, both the union and the employer usually recognize the limitations of the joint study groups. They are aware it is not a cure-all nor will it create miracles overnight.

It is obvious that the high-level unemployment over the past six years has been defeating the best efforts of labor and management to stabilize employment. Government policies have failed so far to create the kind of economic growth which would expand job opportunities—a vital pre-requisite to ease the harsh impact of change on individuals. Effective solutions to the basic problems thus would seem to be beyond the capabilities of individual unions and employers.

Put in this perspective, there are basic problems which must be met by legislation and national policies and there are other problems which may be within the influence of joint study groups.

The joint study groups vary greatly in their functions and powers and in their effectiveness. Because of this diversity, an examination of a few of the major study groups, with some amount of experience behind them, may be more fruitful than any attempt to generalize.

The Kaiser Steel Plan

The Kaiser Steel Co. and the Steelworkers established a tripartite committee in 1960 whose function was to determine how the benefits of technological change would be shared. The company and the union were also anxious to seek a new method of approaching their problems, a way that would avoid the rigidity of contract deadlines as well as frozen positions.

The committee is made up of nine members—three company, three union and three public members. In addition to their study committee roles, the public members also are authorized to participate in the bar-

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gaining during the last 30 days preceding the contract deadline. Their role is to review the status of negotiations and aid the parties through mediation.

The 1962 contract embodies a major suggestion of the joint committee—a long-range savings sharing plan. It provides that workers share in savings from increased productivity and further guarantees them protection against loss of income or of jobs due to technological changes.

Under the new agreement, no employe will be laid off because of changes in work practices, methods or technology. Not covered are situations where layoffs are due to lower production or a change in product. Protection already is provided in these situations under the existing supplementary unemployment benefit plan and the seniority and pension contract clauses.

Employes displaced by technology will replace those people who leave the company or such displaced workers will fill new jobs created by increased production demands. If the new job taken by the worker is a lower-paid job, the worker receives a pay differential. His pay is guaranteed to equal his former rate for a maximum of 52 weeks, provided the job-change can be attributed to technological change.

Employes get 32.5 percent of the savings brought about through increased efficiency. This is based on the past ratio of labor costs to total manufacturing costs at Kaiser Steel.

Manufacturing costs include all variable labor and material costs and certain non-variable labor and material and supply costs in the maintenance of plant and equipment. Basically, it includes all costs relating to the employes covered by this agreement.

Excluded from manufacturing costs are such items as selling, administrative and general expenses, depreciation and depletion, loss of profits on sale of property, plant or equipment, interest, taxes and profits.

The employes' share will be used basically in two ways: (1) part will be distributed each month as a bonus and (2) part will be set aside as a reserve for any general wage or fringe benefit increases adopted by the rest of the industry or other benefits the employes choose.

Though the plan does not cover employes under wage incentives, these employes may choose to go off incentive and come under the plan. Certain safeguards and inducements are established. No one is forced off incentives, but those who vote it out are assured of greater earnings.

The plan is in effect for a 4-year period, subject to annual review and revision. After this term, either party can terminate the plan on four months' notice.

Each month, a bonus is paid to the workers based on their share of the savings. During the first six months of the plan's operation, distributions to the workers averaged 49.5 cents an hour. An additional $90,000 was placed in a wage-fringe reserve fund. These shares are 32.5 percent of the company's savings in the first six months of the plan's operation.

American Motors—UAW Conference

The 1961 contract between American Motors and the Auto Workers provided for a joint committee known as the American Motors-UAW Conference. The six-man committee is composed of three union representatives and three company representatives.

The conference was set up by the parties to discuss "their philosophies, needs and common responsibilities to the community," away from the bargaining table. The conference has no collective bargaining responsibilities with respect to either contract negotiations or administration. Its purpose is to improve communication and understanding. It is concerned with questions of community facilities, including housing, education, health facilities and recreation.

The 1961 contract also provided for the American Motors Progress Sharing Plan which is essentially a profit-sharing arrangement. It is funded by a 15 percent allocation from profits, after a return of 10 percent has been set aside for the stockholders. One-third of the employes' amount is used to purchase company stock for the workers. The other two-thirds of the employes' share is used primarily for the pension, insurance and supplemental unemployment benefit program, as provided in the contract. The fund is managed by a board of trustees, equally representative of labor and management.

During the first year's experience, an average of 7.3 shares were set aside in trust for each employe. This benefit had a current market value of $129.

Steel: The Human Relations Committee

The Human Relations Committee was created by the Steelworkers and 11 major companies in basic steel in the aftermath of the 116-day strike in 1959. The postwar period had counted many strikes in the industry. With the 1959 strike, both sides recognized the need to explore fresh approaches.

The purpose of the committee was to examine jointly, away from the pressures of contract deadlines, serious problems which held potential for disputes. The agreed-on ground rules were that issues would be mutually chosen, no record would be kept and opinions could be freely expressed.

On the 10-member committee are four members representing the 11 companies and six representatives of the Steelworkers. These top members, who ordinarily would be found on each side's bargaining team, in turn supervise the work of technicians assigned to specific subcommittees.

Subcommittees of the parent group normally run from eight to ten members, usually with a half and half representation. These subcommittees study a wide variety of jointly-selected problems: seniority; grievance procedure and arbitration; economic guides; medical care; job classification; incentives; training needs; income and job security; contracting-out; overtime; supervisors doing bargaining unit work; scheduling and duration of vacations; subsidiaries.

One of the notable contributions of the Human Relations Committee was the sabbatical or extended

vacation plan. This plan entitled workers in the top half of the seniority roster a 13-weeks' vacation every five years.

Four "experimental" provisions written into the contract deal specifically with the use of outside contractors on maintenance repair and installation work; the use of supervisors on work normally done by steelworkers; preserving the scope of the bargaining unit where certain jobs are combined; and the scheduling of overtime when laid-off employes might be recalled temporarily.

The pact on these four provisions went into effect August 1, 1963, and continues to December 31, 1964, unless both parties agree on an extension.

Armour Automation Committee

Plant closings and the resulting layoffs of workers led the Packinghouse Workers and the Meatcutters to establish an automation committee with the Armour Co. in 1959.

The committee was tripartite, composed of four representatives of the company, two from each of the unions, an impartial chairman and an impartial executive director.

The committee was to study the problems resulting from the company's modernization program and to recommend solutions. Decentralizing production, closing old plants, introducing new techniques and equipment meant major re-adjustments for the company and the workers.

Financing of the committee was by a company contribution of one cent for each hundred pounds of total tonnage shipped from plants covered by agreements with the two unions, until a total fund of $500,000 had been accumulated.

The original emphasis was on research rather than providing employe benefits as such. In its initial phase, the fund was used for four major purposes: (1) joint discussion meetings; (2) research study; (3) pilot retraining program and (4) pilot transfer program.

A pilot retraining program was undertaken after the closing of one of the company's plants in Oklahoma City. It had been hoped the program would enable the laid-off workers to secure jobs. However, only 12 percent of the displaced workers were retrained. Further, these discharged workers had serious difficulties finding jobs because of high unemployment in the area. Even when those who were retrained did find new jobs, they received less pay than they had earned under their Armour contract.

Based on the studies and findings of the automation committee, the parties incorporated a number of specific changes in the 1961 contracts. The new features included: advance notice; transfer of seniority rights; relocation costs; technological adjustment pay; improved severance pay and early retirement at age 55 at 1½ times full retirement pay.

The company must give 90 days' advance notice of the closing of a department or plant and must guarantee 90 days of work or equivalent wages from the date of the shutdown notice.

In terms of transfer rights, the new contract specified conditions which guaranteed that any employe in a listed bargaining unit could displace a junior employe, hired after August 7, 1961, at any other listed bargaining unit. He could do this provided he was permanently separated due to plant closing and provided he was physically fit and provided he was under age 60 and qualified. The transferred employe would be credited with continuous service rights, previously accumulated, and his seniority at the new plant would be from August 7, 1961, or from his continuous service date, if it was after that date.

Workers who transferred would be entitled to receive moving expenses according to a schedule established by the automation fund committee. The costs of the relocation would be paid by the fund, unless there was insufficient money in the fund, in which case the company would be obligated. If the new plant were less than 25 miles away from the old plant, no relocation allowances would be paid. The benefits varied from $40 for a single employe moving at least 100 miles up to $500 for a married employe moving a thousand or more miles.

Technological adjustment pay is available to a worker under age 60 with five or more years of seniority who loses his job as a result of the closing of a department or plant, provided he registered for transfer to another department or plan. The benefits are $65 per week, less unemployment insurance or other earnings for 26 to 39 weeks, depending upon the worker's seniority.

Severance pay was increased for those employes who were unable to transfer or who did not wish to transfer. The new schedule provides for one week of pay for each year of service up to 10 years, an additional one and three-quarter weeks' pay for each year of service from 11 to 20 years and an additional two weeks' pay for each year of service over 20 years.

Early retirement pay at age 55 is available to an employe with 20 years' service who was displaced because of the closing of a major department or plant. An employe retiring early under these conditions receives one and one-half times the regular retirement pay until he is eligible for social security at age 62, at which time the pension payment reverts to the regular retirement pay.

Joint Committees in the Rubber Industry

Complicated questions raised in the 1963 negotiations led the Rubber Workers to provide for joint study committees in their new contracts with the four major rubber producers—Goodyear, Goodrich, Firestone and U.S. Rubber. These committees vary slightly from company to company, but in general they are given broad functions.

The joint study committees are to "study, explore and make recommendations to the parties during the term of the agreement concerning labor relations problems referred to the committee by the parties." They are not restricted to any specific areas, but will be free

to investigate all types of problems and questions of concern to the company and the union. They are to develop approaches and possible solutions to problems.

The committees have no authority to bargain for the parties on any issue or to determine disposition of any grievances. The authority is limited to discussion, exploration and study of the subjects referred to it by the parties. Recommendations to the parties are on a confidential basis.

Auto Workers' Committees

In the automobile and agricultural implement industries, the UAW has established joint study committees with each major firm. These committees have begun to function over a year in advance of the 1964 negotiation of new contracts.

The joint committees are to study matters that may later become subject to bargaining. However, the committees have no bargaining authority nor are they concerned with the determination of policy matters. The committees will make no recommendations.

The subjects for study and the schedule of meetings are set by mutual agreement. The subjects and the proceedings of the committees are to be kept confidential. This is to ensure that the discussions of the committees do not become indicators or determinators for collective bargaining. The statements of the parties in the joint study committees cannot be cited as part of any bargaining demand or position of the other party.

The committees are made up of company and union representatives. There are no outside parties as members. Committees and subcommittees have an equal number of company and union representatives.

Council on Industrial Relations

One of the oldest joint committees is the Council on Industrial Relations set up in 1920 by the National Electrical Contractors' Association and the International Brotherhood of Electrical Workers. The Council is a national device for the settling of local grievance or contract disputes after deadlocks develop.

The Council is composed of six representatives of the Contractors' Association and six members of the Brotherhood. Members meet quarterly in various sections of the country and hear the cases brought before them.

The Council operates much like a court, with the parties submitting briefs and presenting arguments. The Council never has had to send a dispute back to the parties without a unanimous decision although, in about one percent of the 960 cases decided, a four-man executive committee had to make the decision. Never in the 43 years of the Council's existence has a decision been violated.

The Council covers about 95 percent of the electrical construction industry. The Council plan does not include the local unions and contractor chapters in New York City and Chicago.

At first the disputes involved interpretations of existing contracts, but now the Council resolves deadlocked contract negotiations as well, deciding what such agreements may contain. Disputes that cannot be settled by negotiations must be submitted to the Council. Strikes and lockouts are barred.

Foundation on Automation

Another type of joint labor-management cooperation is the American Foundation on Automation and Employment, Inc., with John Snyder, Jr., President of U.S. Industries and A. J. Hayes, President of the Machinists, as co-chairmen. This foundation was established in February 1962 by the union and the manufacturer of automated equipment.

The foundation is concerned with broad social problems brought on by automation rather than internal labor relations problems between the IAM and U.S. Industries. Its purpose is to "tell the truth about automation" in terms of its impact upon human beings.

It is financed entirely by the company through a levy on every automated machine it sells or leases to another company in the United States. The foundation is managed jointly by the company and the Machinists. The fund is administered by a nine-member board of trustees—one each from the company and union and seven public members drawn from government, labor and other fields.

Conferences evaluate, discuss and inform the general public of possible solutions to problems of automation. This joint venture is bringing local union officers into contact with federal government manpower and training experts as well as college researchers for the purpose of developing solutions to the problems of radical technological changes.

An international conference is being planned in conjunction with the International Labor Organization for an international study of the implications of automation. Further meetings will be concerned with training and retraining needs of workers, as well as with apprenticeship programs.

Labor Law

THE UNIVERSITY OF WISCONSIN

INDUSTRIAL RELATIONS RESEARCH INSTITUTE

Representation Elections Under the Railway Labor Act

By Richard B. Peterson

Reprinted from
Labor Law Journal
January, 1965

Ell2 Labor Law

INSTITUTE OF INDUSTRIAL RELATIONS

LABOR INJUNCTIONS IN THE STATE COURTS

by

BENJAMIN AARON

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LOS ANGELES 24, CALIFORNIA
1965

PRESS RELEASE

FOR RELEASE TO ALL PAPERS

The Voter Education Project
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303
JAckson 2-8764

Sunday, May 1, 1966

Negro voting strength is estimated at more than 40 per cent and in some instances at more than 50 per cent in nine of 15 Alabama counties where Negroes are seeking office in the May 3 Democratic primary. Similarly, it is estimated at near a majority in three of seven legislative districts where Negroes are candidates.

These estimates are based on a running total of Negro registration in southern states kept by the Voter Education Project of the Southern Regional Council. Figures and percentages on the seven districts and 20 counties, nearly all in the Alabama Black belt, were released by the VEP today (tables attached). There are 67 counties in Alabama.

These Alabama figures underscore the dramatic change in politics in that state since the 1965 passage of the Voting Rights Act. Statewide, Negro registration has increased from approximately 112,000 to approximately 226,000 (about 16.5 per cent of total registration) since the act went into effect last August.

The VEP estimates of the Negro percentage of the voter totals are conservative because many of the counties involved show a white registration higher than the 1960 Census figure on the number of whites eligible to vote. A closer comparison would probably be the Negro registration with the 1960 white voting-age population on the attached tables.

In counties where Negroes are offering for offices ranging from sheriff, tax assessor, coroner, county commissioner, board of education member, to Democratic executive committeeman and beat captain, the estimates show Wilcox County with 52.4 per cent Negro voters; Hale, 47.6; Macon, 50.6; Bulloch, 44.1;

PRESS RELEASE

FOR RELEASE TO ALL PAPERS

Sunday, May 1, 1966

(cont'd)

Sumter, 46.9; Marengo, 44.9; Perry, 41.9; Dallas, 46.3; Greene, 66.5. Lowndes County, where Negroes plan to run independent Black Panther party candidates in the general election next fall, has a Negro registration of approximately 45.8 per cent of the total; it is among those with white registration figures apparently inflated.

Negro registration is estimated at 44.5 per cent in House District 27; at 46.3 per cent in House District 28, and at 38.1 per cent in House District 31.

The Voter Education Project figures are based on field reports and other sources of information.

The Voter Education Project, a program of the Southern Regional Council, Inc., of Atlanta, supports projects in voter registration, citizenship education and leadership training in the eleven southern states.

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VOTER EDUCATION PROJECT
SOUTHERN REGIONAL COUNCIL, INC.
April 30, 1966

VOTER REGISTRATION IN SELECTED ALABAMA COUNTIES

ALABAMA LEGISLATURE	COUNTY	NEGRO VOTING-AGE POPULATION (1960 CENSUS)	NEGROES REGISTERED	% NEGRO VOTING-AGE POP. REGIS.	% NEGRO OF TOTAL REGISTERED		WHITE VOTING-AGE POPULATION (1960 CENSUS)	WHITES REGISTERED	% WHITE VOTING-AGE POPULATION REGISTERED	% WHITE OF TOTAL REGISTERED
SENATE DISTRICT 19	WILCOX	6,085	3,691	60.7	52.4		2,624	3,349	127.6	47.6
	CLARKE	5,833	2,280	39.1	18.3		7,899	10,178	128.9	81.7
	MONROE	4,894	2,142	43.8	22.7		6,631	7,308	110.2	77.3
	CONECUH	3,635	1,985	54.6	26.8		5,907	5,421	91.8	73.2
DISTRICT	TOTAL	20,447	9,926	48.5	27.4		23,061	26,256	113.9	72.6
HOUSE DISTRICT 23	HALE	5,999	4,093	68.2	47.6		3,594	4,503	125.3	52.3
	BIBB	1,190	830	69.7	9.6		5,807	7,802	134.4	90.3
DISTRICT	TOTAL	7,189	4,923	68.5	28.6		9,401	12,305	130.9	71.4
HOUSE DISTRICT 31	MACON	11,886	4,991	42.0	50.6		2,818	4,878	173.1	49.4
	BARBOUR	5,787	3,322	57.4	25.9		7,338	9,489	129.3	74.1

Helpful to get to nitty-gritty of jobs

We are doing something
Conditions — organizing

Social policy through politics
Includes — pt. to organize
law enforcement

Law is on side —
laying to rest the issue

Problem

Becky Herford —
ILGWU — Ala, Tenn

B.A — Cal Stafford —

Blue Ridge, Ga
Levi-Strauss Plant
almost unenforceable arbitration clause

VOTER REGISTRATION IN SELECTED ALABAMA COUNTIES - 2

ALABAMA LEGISLATURE	COUNTY	NEGRO VOTING-AGE POPULATION (1960 CENSUS)	NEGROES REGISTERED	% NEGRO VOTING-AGE POP. REG.	% NEGRO OF TOTAL REGISTERED		WHITE VOTING-AGE POPULATION (1960 CENSUS)	WHITES REGISTERED	% WHITE VOTING-AGE POPULATION REGISTERED	% WHITE OF TOTAL REGISTERED
HOUSE DISTRICT 31	BULLOCH	4,450	2,419	54.4	44.1		2,387	3,064	128.4	55.9
DISTRICT	TOTAL	22,123	10,732	48.5	38.1		12,543	17,431	139.0	61.9
HOUSE DISTRICT 27	SUMTER	6,814	3,282	48.2	46.9		3,061	3,715	121.4	53.1
	MARENGO	7,791	5,690	73.0	44.9		6,104	6,975	114.3	55.1
	PERRY	5,237	3,715	70.9	41.9		3,441	5,146	149.5	58.1
DISTRICT	TOTAL	19,807	12,687	64.1	44.5		12,606	15,836	125.6	55.5
HOUSE DISTRICT 28	DALLAS	15,115	10,467	69.2	46.3		14,400	12,128	84.2	53.7
HOUSE DISTRICT 14	JEFFERSON	116,160	61,637	53.1	26.7		256,319	169,052	65.9	73.3
HOUSE DISTRICT 37	MOBILE	50,793	24,794	48.8	18.7		121,589	107,455	88.4	81.3
	MONTGOMERY	33,056	19,055	57.6	31.5		62,911	41,417	65.8	68.5
	GREENE	5,001	3,781	75.6	66.5		1,648	1,901	115.4	33.5
	AUTAUGA	3,651	2,263	62.0	25.9		6,353	6,483	102.0	74.1
	CHOCTAW	3,982	3,037	76.3	36.3		5,192	5,327	102.6	63.7
	LOWNDES	5,122	2,372	46.3	45.8		1,900	2,812	148.0	54.2

Maida —
Women
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Strong study by 1945
Me working daily registrants
rejected in high numbers

What have you done —
Selma —
Hattiesburg —
Atlanta —
Baltimore

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there is
lot

coalitions
Memphis
Tenn
Durham
Atlanta
Texas
MISS.

[Law is on your side]

Common interest

Social Policy —
Lack st. to organize —
Law enforcement

Problems —
Respect —
Disagreement —
"Making Deposits" —

Ga —
Leroy Johnson

Prejudice —
makes tough to
listen —

179 —
103 —
walkaway —

Good faith (long run hope)
agreement to disagree

Collective Bargaining — Issues

The Transfer Rights Of Displaced Workers

by Rudolph Oswald

A firm closes a department, laying off workers while its other departments are hiring. A multi-plant company closes one plant, dismissing the workforce and opens another somewhere else with new help. Firms shift operations from one facility to another or consolidate or diversify operations. Under these varied conditions, what are the employe's rights to stay with the job or firm? Can he transfer to the new operation or any other existing operations of the firm? What benefits can he transfer?

Many union contracts now cover the transfer of workers displaced by a factory or departmental closing. And unions are adding the principle of seniority rights to the subject of transfer. To facilitate interplant transfers, many contracts include moving and relocation allowances, adopting a fringe benefit once reserved for executives.

Transfer rights are just one of many techniques developed to meet the problems of plant and departmental closings. It is no substitute for such other programs as early retirement and adequate severance provisions. Advance notice clauses assure the workers of adequate forewarning and attrition clauses protect the worker's job. Retraining provisions often go hand in glove with transfer clauses.

When work is moved from one locality to another, unions want every effort made to help affected workers. The steps emphasized in negotiations by different unions vary on details, but the following summarizes broadly the views being pressed by various unions—and agreed to by many companies—in bargaining on this problem.

The primary type of protection is to give the displaced employe the right to follow his work. Employes displaced in a departmental or plant move should be given the right to transfer to the new location. It is the work they know and to which they have devoted much of their working lives. If that work is going to be done, they have a rightful equity in the work, built up by years of service in the company.

If only lower-paying jobs are available, then the unions want the company to guarantee the transferring worker his old wage for at least a designated period, making up the difference between the new job rate and the worker's former rate.

When the available new jobs may require somewhat different or additional skills or duties, which the workers could ordinarily master after a reasonable retraining period, the objective is to have the company pro-

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PAGINATION INCORRECT

vide the necessary retraining to equip the workers.

To avoid an undue economic burden on workers and to make the transfer opportunities most meaningful, the company should pay all or at least part of the expenses involved in the moving of the worker and his family and possessions and in the family's resettlement in the new community.

The transfer clause in the contract spells out who can transfer and under what conditions the move to different departments, plants and locations takes place. Transfer programs require a review of existing seniority provisions and the purposes of such provisions.

The right of transfer to other departments or plants may have a number of variations. For example, transfer rights may be limited to employes laid off because of a plant or departmental shutdown, or may cover employes laid off for any reason at all. The protection may extend to new plants, to situations in which existing operations have been moved to a new location, or to all the company's plants in a given area or community. On the other hand, an employe may have the right to transfer to any plant of the company, regardless of its "newness," type of operation or location.

Under some agreements, transfer rights or preferential hiring rights may even be broadened to cover a number of plants of different companies within the same industry or area. Under other contracts, the parties may merely agree to negotiate regarding transfers in the event of the establishment of a new plant.

Employes who transfer may retain full seniority rights or they may retain those rights only for pensions, vacation and severance.

Seniority

Seniority provisions which allow transfer only within an occupation or a department may not protect long-service workers when a particular department or occupation becomes obsolete or is phased out. The question becomes particularly important when an entire operation or department is seriously affected by technological change. Such problems have often led to revised seniority rules so as to provide workers greater protection in exercising job retention rights.

The question of seniority can involve difficult problems regarding the merger of departments, moving of employes to other plants of the company or reducing the normal workforce as a result of technological change.

Seniority often is the key to the older worker's stability of employment and job security. Seniority deals with individual and not collective job security. The application of seniority assures the greatest amount of employment security to those workers oldest in point of service. Thus, an employe obtains a preferred claim to present and future employment, based on the length of past service, under the seniority provisions of the agreement.

His seniority is a product of collective bargaining. In a non-union establishment, seniority may exist only as a matter of voluntary acceptance by the employer and only as long as he wishes to observe the principle.

Union contracts traditionally provide that the order of lay-offs be based on inverse seniority. However, if the seniority unit is too narrow, it may not provide the protection intended.

To provide senior workers with the greatest possible protection against job loss, unions usually have sought to broaden seniority units within a plant and establish the right to transfer to jobs in other plants.

The seniority unit is often related to the degree of interchangeability among the jobs, since seniority generally functions easiest in a unit where skills are relatively interchangeable. As specialization increases, the seniority unit often becomes smaller. The more specialized the seniority grouping, the less protection the employe has in case of technological changes in his work situation. A seniority unit that works fine for selecting persons to work overtime, or to set vacation schedules, may not meet the needs of technological changes in the work process.

Therefore, in order to maintain the intended job protection, seniority units may need to be adjusted or broadened to take care of transfers, temporary assignments or general labor-pool arrangements.

Transfer rights, for example, may require the integration of seniority lists of two or more departments or plants. This can be an extremely complicated procedure. One or a combination of the following approaches usually is employed:

1. Surviving groups or "tailending," where integrated employes go to the bottom of the list of the dominant or "surviving" unit.

2. Length of service or "dovetailing," where groups are integrated on the basis of straight seniority.

3. Absolute rank or "interlacing," where a new seniority roster is created by alternating selection from each group.

4. Proportionate ranking, where ranks are allotted on the basis of the proportionate number of employes in each group. Thus, if the new group contains 100 men, with 75 coming from one department or plant, and 25 from another, the new seniority list chooses three from one group and then one from the other group, and so forth, until all are arranged in a new seniority roster.

5. Follow the work. Where a previously existing job is transferred to a new location, the incumbent on the job can follow it into the new group.

Some contracts provide for transfers from one department to another on a temporary basis, with the worker retaining seniority only in his own department.

In all cases, the worker usually retains his full seniority for purposes of vacation, retirement, etc., as long as he works for the same employer.

Interplant Transfers

Interplant transfer rights may vary from a limited statement of opportunity, whose availability is largely subject to managerial discretion, to a bona fide "right" that can be asserted to "bump" another employe in a specified unit of the same company. Within this range, three kinds of transfer rights can be distinguished: (1) interplant bumping rights; (2) preferential hiring and (3) the "transfer with work" principle.

The strongest form of transfer rights are interplant bumping rights. Under this arrangement, an employe laid off from one plant could replace a junior employe in another plant of the same company. Such a contract, however, may present serious intra-union problems, arising from the difference of the length of service of members employed at different plants of the company.

The Packinghouse Workers and the Meat Cutters have negotiated agreements with the Swift and Armour companies that establish a broad system of interplant bumping. Beginning with August 1961, each employe covered by the appropriate master agreement accumulates company-wide seniority for displacement purposes. All employes on the payroll on August 1, 1961, start their company-wide seniority from that date. The relative position of new employes to each other depends upon when each employe is hired. If an employe is displaced because of the shutdown of a plant or a department, he selects any two plants covered by the master agreement between his union and Swift (or three plants, in the case of Armour) to which he desires to transfer. He will then bump the most junior employe on the company-wide seniority roster in the plants selected. These transfer rights apply only to units organized by the same union.

The UAW negotiated a variation of the interplant bumping rights with the Ford company concerning interplant bumping at the company's River Rouge operations. Under this agreement, employes with 15 years of seniority or more could bump employes of 10 years of service or less in other Rouge plants.

Another type of transfer clause is the "transfer with work" principle, providing that employes affected by the shift of work from one plant or facility to another will have the right to transfer with the work and associated job opportunities. Application of the "transfer with work" principle normally does not mean that every employe displaced by the shift is given the right to a job at the plant to which the particular work is transferred. Usually it means the jobs related to the operation would be made available to employes who originally worked on the operation, based on employe seniority and the number of jobs available. This principle applies to two types of situations: (a) those involving a shift of work to an established plant; (b) those involving the transfer of work to new plants.

This principle has been extensively used for the establishment of transfer rights for displaced workers of the Big Three automobile companies and for office employes of railroads under contracts of the Railway Clerks.

Problems occasionally have arisen over the definition of "work," as the job may be somewhat different at the new location, particularly when the transfer of work is the occasion for automating the operation.

The most common form of interplant transfer protection is "preferential hiring," giving employes who have been laid off from one plant the right to preferential consideration when applying for a job at another plant of the same firm. This means that displaced workers be given first choice over new applicants for employment at other plants. Such "preferential hiring" provisions usually only apply to laid-off workers who have been displaced by a plant shutdown rather than laid off because of a temporary curtailment of work.

In some cases, the scope of preferential hiring rights may be limited with respect to specific plants or designated geographical areas.

For example, employes laid off because of the closing of Ford's Iron Mountain, Michigan, plant were given preferential hiring rights at the jet engine plant in Chicago.

An example of the geographical approach is the Glass and Ceramic Workers' contract at Libby-Owens-Ford glass plants in Toledo, Ohio. This company's four plants in the area are brought together under a common "preferential hiring" arrangement.

A modification of the preferential hiring plan grants preference to high seniority dismissed employes over lower seniority laid-off employes at a second plant. Such an arrangement was worked out by the UAW at Chrysler in 1959. Under this plan, when work opportunities became available at a given plant through attrition, the open jobs were offered to employes on the plant's recall list and to employes on the special "closed plant" list on a rotating one-and-one basis. That is, the first open job was offered to the highest employe on the plant recall list, the second job to the highest employe on the "closed plant" list.

In addition to a transfer when operations move, the Retail, Wholesale and Department Store Union negotiated the right of workers to transfer to new suburban stores when they opened.

A more detailed description of interplant transfers is provided in Professor Arnold Weber's chapter, "The

Interplant Transfer of Displaced Workers," in the book, "Adjusting to Technological Change," by Somers, Cushman and Weinberg.

Inter-firm Transfers

In addition to interplant transfers, some unions also have negotiated transfer rights to other firms.

The Retail Clerks' contract in eastern Pennsylvania, southern New Jersey and Delaware provides that, when one chain lays off employes, another firm signatory to the master contract will hire these workers before any outside help.

In the Mailers' contract with the Publishers Association of New York, job security provisions include a city-wide hiring pool from which mailers who lose their jobs because of merger would be hired. Job protection was provided for both regular and substitute mailers now working.

The Glass Bottle Blowers, in its industry-wide contract, provides that workers who are laid off by one firm will have preferential hiring rights at any of the 22 firms signatory to the industry-wide contract. Pension credits are retained by workers age 40 or over who have 15 or more years' service.

Income Maintenance

Just providing transfer rights without maintaining "pay" may be an empty promise. Thus many unions have moved to protect the income of transferred employes. However, such protection usually only applies to intra-plant transfers, not transfers between plants. Even here, the approach of unions has varied.

Under the can industry pacts, if a worker is transferred to a lower paying job, an employe's rate of pay may not be reduced below 95 percent of his average straight-time rate per hour, as established during the preceding year. This rate protection is applied on the basis of quarterly review of each employe's average straight-time hourly rate in comparison with his preceding year's rate average.

The Cement Workers in various contracts negotiated a clause guaranteeing workers that they would not be terminated due to technological change or installation of new equipment. Workers whose jobs are eliminated, and who transfer to other jobs in the company, receive pay protection of at least 95 percent of the previous job-rate for a minimum of one year and up to a maximum of 5 years. Under a California contract, the workers have preferential hiring rights if a company shuts down one plant and opens another in the area.

The Shoe Workers, in an agreement with southern California shoe manufacturers, negotiated a guarantee against pay reduction for workers displaced from their old jobs by new equipment or new production methods.

Under the Auto Workers' contract at Allis-Chalmers, workers in the top grades may choose layoff instead of transfer to a lower wage group.

Legal Rights Regarding Transfer

The legal right of an employe to a transfer depends largely on provisions of the contract. A few contracts prohibit the moving of a plant or any of its operations. Most contracts, however, have no such prohibition. In such cases, the courts and arbitrators look to other contract clauses, such as recognition, seniority, arbitration or recall.

Since the Supreme Court's decision in the Steelworker cases, questions of contract violation in plant removal (as in many other areas) generally have been referred to arbitration where the contract provides for arbitration. However, suits for damages arising out of plant removal also have been brought in federal district courts under Section 301 of the National Labor Relations Act relating to suits over breach of contract.

Some contract clauses have been construed to mean that, while the employer may move his operations, the agreement would remain in force at the new location. On the other hand, a provision applying the contract within a 60-mile radius was held to convey no transfer rights in a move beyond 60 miles.

In addition, the courts have held that certain rights and benefits extend beyond the expiration of the contract. The primary basis for this holding is that these benefits are, in effect, "property rights" accruing to the employe as the result of past service.

In the Glidden case, the company transferred its production operations from Elmhurst, New York, to Bethlehem, Pennsylvania, after its contract with the union expired. A key element in the Circuit Court's decision, in recognizing that the employes might have rights to transfer, was a clause in the contract providing for recall rights with seniority up to three years after date of layoff. Since this three-year period extended beyond the expiration of the contract, the Court reasoned that the seniority right provided by the contract had become vested and that these vested rights could give employes transfer rights to the new plant.

The U.S. Supreme Court (in *Carpenters versus Kimball*) held that a company that moves a plant to a new location may be required to arbitrate the question of employment rights at the new plant even though: (1) the new plant is a considerable distance away and (2) the contract has expired. The contract called for arbitration of all differences. It also gave laid-off employes recall rights for a two-year period. However, the contract had expired after the old plant was closed and before the new plant opened. The Court didn't explain its decision, but merely cited its decision in *Wiley and Sons,* under which the Court had held that a successor company could be required to arbitrate claims under the previous company's union contract.

In *Wackenhut Corp.,* the U.S. Court of Appeals applied the Wiley rule to a purchase rather than a merger situation. It seemed to interpret Wiley to stand for the proposition that, where there is a "substantial similarity of operation and continuity of identity of the business enterprise before and after the change in ownership," the new owner is bound by the entire collective bargaining agreement entered into by

the union and the predecessor employer.

And, in *Steelworkers v. Reliance Universal, Inc.*, another Appeals Court also applied the Wiley doctrine in a purchase situation, apparently holding the entire contract to be binding on the purchasing company, excepting those provisions which changed circumstances might make "unreasonable or inequitable" to apply.

In the *Ross Gear* case, a U.S. Appeals Court ruled that the employes had no transfer rights to a new plant in another state because the contract's recognition clause confined the union's recognition to the company's plant or plants located within the city limits of Detroit. The Wiley doctrine likewise does not apply where a different union is the bargaining representative at the new plant.

It cannot be said that the courts have granted employers an absolute legal right to transfer. Rather, court decisions have been based upon the particular circumstances and contracts involved. Each case has turned upon the specific conditions and the wording of the contract.

Moving Allowances

A prime prerequisite of transferring to a different area is the ability to pay for the move. Companies long have provided various types of moving and relocation allowances to executives and management officials. Now unions are gaining some of these benefits for all employes.

Some of the relocation benefits provided are payment of transportation costs of the employe to a new location; payment for the cost of moving household goods and incidental moving expenses; payment for losses on sale of an employe's house; payment of a real estate broker's commission and payment of temporary living costs of an employe and/or his family. In addition, some firms provide an expense allowance for an employe and his wife to house-hunt before he is actually transferred.

Without company payment of moving expenses, workers transferring from one city to another have to fall back on their own resources for very expensive moving costs. In some instances, such workers have had to seek aid from community welfare agencies.

An increasing number of labor-management contracts now provide moving and relocation allowances.

As part of the benefits negotiated by the Chemical Workers for employes displaced by the closing of the Lever Brothers' Cambridge, Mass., plant, the company agreed to pay some of the costs involved in transferring employes to its other plants. If an employe elected to move to another Lever Brothers' plant, he was given first-class railroad fare to the city in which that unit was located. His wife was given the fare for a round trip and a one-way trip from Cambridge to the other city. The wife was afforded the extra round trip fare so that she might be able to visit and familiarize herself with the new community before the transfer was carried out. When the employe actually moved, the company also paid the cost of shipping his household effects. The maximum allowance payable for all moving expenses was equal to the amount forthcoming as separation pay if the employe had decided not to transfer.

The GM-UAW contract provides basic moving allowances based on mileage between plants and on marital status, as follows:

Miles Between Plants	Relocation Allowance Single Employe	Relocation Allowance Married Employe
50— 99	$ 55	$180
100—299	75	220
300—499	105	290
500—999	155	420
1000 or over	215	580

Under the Machinists-Convair agreement, transferred employes are given transportation allowances for the employe and each dependent, plus a per diem living expense for each day of travel and until their household effects are moved into their new residence, or for a period of 30 days, whichever is less. The contract also provides for packing and crating, insuring and transporting an employe's household goods up to 8,000 pounds. A unique element in this contract is provision for moving of an employe's housetrailer.

In the current closing of the U.S. Steel plant at Donora, Pennsylvania, the company is offering to buy houses of Steelworkers who take jobs at the company's Joliet, Illinois, plant. The company offers to pay the current appraised value, less 4 percent for appraisal and real estate fees. The company previously had provided this benefit for management people, but this is the first time for blue collar workers.

In addition, the Steelworkers' contract with U.S. Steel provides for the following relocation allowances:

Miles Between Plants	Relocation Allowance Single Employe	Relocation Allowance Married Employe
50— 99	$130	$180
100— 299	150	420
300— 499	180	490
500— 999	230	620
1000—1999	290	780
2000 or more	350	940

In a survey of company practices in 1964, the National Industrial Conference Board found that the

majority of companies that transferred employes to other company locations paid the cost of transportation of the employe and his family to the new location and paid the cost of moving household goods. Other benefits were paid by a minority of the companies surveyed.

Another 1964 survey by Business Management showed that the majority of the companies responding to its survey provided an expense allowance for an employe and his wife to house-hunt before they were actually transferred. The same survey also showed that a majority of firms paid for hotel, motel or other accommodations for an employe and his family, if they do not find a home before they move to the new location.

Both surveys showed a majority of the firms answering these questionnaires treated blue collar and white collar workers alike. However, a large group, around 40 percent in each survey, provided white collar workers with different benefits than were provided other employes.

Flow-Back Provisions

Some contracts provide for so-called "flow-back" rights, which allow a transferee to return to his original plant. This is an attempt to alleviate the transferred worker's fear of being laid off and stranded in a strange community. If the old plant is still in operation, he may be able to exercise his seniority within that unit to displace another employe or take his place on the plant recall list. If the plant has permanently shut down, he may then be entitled to apply for severance pay or early retirement.

The basis for "flow-back" rights is the belief that employes who transfer to a new community should be given a period of grace to determine their ability to adapt to the new environment. Under railroad contracts, a trial period of one year is usually provided.

Governmental Policies

The U.S. government has recognized the need for relocation allowances to help workers transfer from one area to another. A number of governmental policies point to the desirability of providing workers with the financial means for getting from one place to another. The federal government is aware of its responsibilities to its own employes since a number of moving adjustments are in effect and more are proposed. Federal programs also pay relocation allowances for some unemployed workers under the Manpower Development and Training Act and under the Trade Expansion Act. Even the federal income tax was changed to permit the deduction of non-reimbursed moving allowances.

The government also has realized that just paying moving allowances is insufficient. President Johnson has recommended to Congress a comprehensive bill providing for broad relocation allowances.

Under last year's Housing and Urban Development Act, mortgage relief is allowed homeowners who become unemployed due to closing of a federal installation. Under this section, a temporary moratorium on payments is granted to Veterans' Administration and Federal Housing Administration mortgagees. This Act also contains a section providing for government purchase, at fair value, of family homes situated at or near military bases which are ordered closed.

Those responsible for training people under the Manpower Development and Training Act also recognize the importance of federal government relocation allowances. Under this Act, experimental funds have been made available in specific cases for helping workers move from one location to another.

Under the 1962 Trade Expansion Act, the federal government is authorized to pay moving expenses and relocation allowances to a worker who loses his job because of imports and cannot find suitable employment in his home area.

Conclusions

Experience indicates that workers prefer to stay in their communities or to transfer to other plants within commuting distance from their homes. However, economic conditions in their home communities and the prospect of alternative job opportunities weigh heavily in the choice between moving with a job or staying home.

The guarantee of transfer, with full seniority for purposes of job rights, is an important determinant as to whether workers will transfer or not. A preferential hiring program that only provides for date-of-entry seniority at the plant to which the worker is transferred may be an insufficient incentive for the worker to move to a new location.

An incentive for a worker to transfer is his desire to protect his pension rights. Thus a worker with 19 years' service under a pension plan requiring 20 years of service for vesting will often transfer for at least a year so that he can obtain his pension at age 65. Also, the older worker may fear age discrimination in applving for a new job with another firm.

Obstacles to transferring include home ownership, family and social ties and children in school. Some transferred workers find it necessary or expedient to maintain two homes and to commute between areas on weekends, at least in the first year after transfer.

The question of who bears the cost of relocation is an important determinant of whether a displaced worker will transfer or not. Too often the worker does not have sufficient resources of his own to bear the financial burden of relocation. Without help in meeting the relocation costs, the right to transfer may be illusory.

A displaced worker should not be forced to transfer, but should be allowed to choose from a number of alternatives. In addition to the worker's right to move to a new job in another department or plant, important alternatives are early retirement, severance pay, extended supplemental unemployment benefits and retraining. A combination of provisions along such lines, together with transfer and relocation clauses, can protect those workers faced with plant or department shutdowns.

Labor Law

Ble

INSTITUTE OF INDUSTRIAL RELATIONS

THE STRIKE AND THE INJUNCTION—PROBLEMS OF REMAND AND REMOVAL

by

BENJAMIN AARON

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UNIVERSITY OF CALIFORNIA
LOS ANGELES, CALIFORNIA 90024
1966

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Law

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PREEMPTION, PREDICTABILITY AND PROGRESS IN LABOR LAW

MONOGRAPH
SERIES
NO.
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BY CLARENCE M. UPDEGRAFF

CENTER FOR LABOR AND MANAGEMENT

COLLEGE OF BUSINESS ADMINISTRATION

THE UNIVERSITY OF IOWA

IOWA CITY, IOWA

WASHINGTON REPORT

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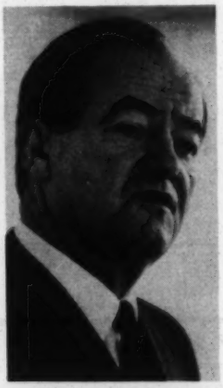
United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW, AFL-CIO

Black Star photos by Fred Ward

Vice President Humphrey talked—and dreamed out loud—about America's future with UAW staff. He asked labor to help make U.S. a great country in a great world.



"Now, there will be a day of peace, my fellow Americans. Some of you may wonder when. Who doesn't? But just as surely as we're in this room, that day will come. And I want to ask you a question. Are we going to let happen after Viet Nam what happened after Korea? The cities were sick after Korea—the slums were there, the poor were there, the unemployed were there, too. The schools were bad, the housing was terrible, the movement of the poor Negro and the poor white from the South to the cities was taking place; and what did we do after Korea? We cut the budget, we reduced the taxes, and we did not commit any new revenues or new resources to a better America. In fact, we tried to forget the poor. Today we need to be looking ahead. We need a post-Viet Nam plan of social action."

—Vice President Humphrey to UAW staff last week.

"So I come to the years ahead—in the areas of science and technology. We will have a man-orbiting laboratory in outer space. Just as sure as you're in this room. We'll have men that go up—climb in—come back. We'll have ways and means of monitoring the earth so we can have safe disarmament. We are going to have organ transplants in the human body. We're going to be able to extend the longevity of life—extend man's life. And we'll do a great deal in terms of productivity to make possible a shorter workweek—with ever increasing productivity and an increasing standard of living. In the next few years, as a matter of fact, for people who have heart disturbance, there'll be little isotope atomic batteries we can install in the heart to give perfect rhythm. We'll have unbelievable things in medicine and science and technology—I have a list of about five pages of these things which I use to talk to young people in the colleges. But after we get through with all of that, the question is are we going to be able to live with each other? All these machines, all these inventions—the real question is what kind of environment are we going to live in. Are we going to choke ourselves to death with pollution and smog? Are we going to have clean and fresh water? Are we going to have any places of leisure? I heard Tom Watson of International Business Machines speak here the other night and he said by the year 1980, the workweek will be 27 hours and he said, "What are we going to do with the rest of the time? Are we planning ahead for our wilderness areas, for our recreational areas, for our leisure activities? What are we going to do with the people that are on retirement—are they just going to wither away or can we find ways and means for creating work for them. This is what we have to be thinking about."

—Vice President Hubert Humphrey—February 16, 1967

"I would like to see the UAW—and other trade unions—lay down an agenda for the next decade. I want you to help set priorities for America and humanity—for people and progress. It's all tied together. It's all part of a great America."—*H. H. H.*

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May 28, 1969

Mr. Robert J. Butler, Manpower
Representative
250 Tenth Street, N. E., Rm. 202
Atlanta, Georgia 30309

Dear Mr. Butler:

In response to your request on material on promotions, I am enclosing an article on seniority plans and our general stewards' manual.

I hope this material is useful to you.

Sincerely yours,

Rudolph Oswald

Rudolph Oswald, Economist
Department of Research

Enclosure

The Case Against a Tax Increase

by Edwin L. Dale Jr.

Nearly two years ago in this journal, at a time when men of good will were worried to the point of despair about automation, the flood of teen-agers into the labor market and the supposed disappearance of jobs for the unskilled, and when unemployment was 5.5 percent, I was lucky enough to write: "My proposition . . . is that general fiscal and monetary measures of the government to expand total demand . . . will all by themselves solve the unemployment problem. And by solve it I mean reduce unemployment, by our normal statistical definitions, to 3.5 percent or less of the labor force in two or three years." Reaction of readers was almost uniformly disbelieving.

In the intervening time, spurred by measures such as the 1964 tax cut, aggregate demand has risen by just under $50 billion a year, a rattling big increase. The war in Vietnam has helped it rise faster in the past nine months than it would have risen otherwise, but up to now this extra effect of defense spending has been small – an annual rate of $5 billion at most, in a $700 billion economy. Presumably nearly everybody now agrees that demand is the main cure for unemployment, and among the "everybody" are Sargent Shriver and Willard Wirtz. Unemployment, at this writing, is 3.7 percent of the labor force and heading down, and the biggest growth in jobs for nearly two years has been among the relatively unskilled. Negroes have benefited at least as much as whites.

But now there arises a serious question. Granted that the old worries about "automation" and "chronic" unemployment are out of date for all but a tiny fraction of our working-age people, whose problems the government is trying to tackle, there remains the issue of whether we can safely press on to drive unemployment well below 3.7 or even 3.5 percent, and by the same method as before: expansion of aggregate demand.

The question arises because that is precisely the direction in which we are heading. Can we let 'er rip some more without a damaging and dangerous inflation? If the government does nothing to *brake* demand, we will move to even lower levels of unemployment. The issue is no longer whether we *can* get lower unemployment from expanding demand, but whether we *should*. The following argument that we should do so – that we should let 'er rip a while longer – is made with far less assurance than the argument of two years ago. But it seems to me worth making because now, once again, the conventional wisdom (even among economists this time, in contrast with the earlier period) is saying that we cannot safely do so.

Thus, this is the case against a tax increase. It is the case against braking demand and the boom itself. It is the case in favor of going for broke – for an unemployment level of three percent, or even possibly less. It is a gambler's case, for it has risks.

The case is in four parts.

First, we can drive the economy harder because Americans can get an astonishing amount out of bailing wire on the old machine or a day's work out of a dropout. This country can produce more, and employ more, and thereby make supply rise to meet demand.

There are, after all, still three million unemployed (even if most now have not been unemployed for long) – and two-thirds of them have some previous work experience. There is, granting the grave deficiencies of the statistic, about eight percent of industrial capacity not working, on the average, though there are differences among industries. Salesmen for chemical products, books, drugs, tractors and a host of other things are still on the road looking for orders. The admen are still trying to sell a few more Buicks and stainless-steel blades. Prices are actually going down for many man-made fibers, and there is certainly no scarcity of toasters or transistor radios, let alone cars.

In a word, this country's capacity to produce is not exhausted. To drive the economy harder means more jobs, not actual shortages of anything that matters. If rising demand brings forth more supply, inflation will not be serious. Every additional point on the industrial-production index now means several score thousand jobs. Why not see whether the alleged "hard core" unemployment is really so hard core? We got down to 2.5 percent unemployment in the Korean war because the war pushed us into an expansionary policy. Why not try again, even if the war in Vietnam ends? The fiscal and monetary tools are there, war or no war. We shall never know how hard we can push this economy without serious inflation until we try.

Second, there is the matter of "restraint" – otherwise known as guideposts. Here the real world is remark-

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EDWIN L. DALE JR. *is a reporter in the Washington Bureau of* The New York Times, *specializing in economic affairs.*

PAGINATION INCORRECT

ably different from the public image, but in two contrasting ways.

It is entirely true, as critics of the government's anti-inflationary guideposts have contended, that they have no application at all to a tremendous number of prices and wages in the economy, probably the big majority.

Ask Armour or Swift, or their dozens of smaller competitors, whether the guideposts could possibly govern meat prices. Ask a drug or supermarket chain or a bank whether guideposts influence the wages of their counter clerks. Ask a steel scrap dealer or a merchant in cattle hides whether the guideposts have anything to do with the prices they get.

Labor and the Guideposts

As George Meany huffs and puffs about the inequity of the guideposts for labor – with considerable justification, because the 3.2 percent figure for wage increases can be fair only if average consumer prices do not rise at all, and of course prices do rise – he understandably neglects to mention that organized labor does not set wage levels. Less than one-fourth of the labor force is unionized. The newspaper front pages, when they discuss union attitudes toward the guideposts, discuss something of less than earthshaking importance. Most wages in this country are in fact set in the classic marketplace, and nonunion wages are now probably rising faster than union wages.

And yet with all that said, the critics do not do the guideposts full justice. For the guideposts have changed human attitudes in some specific situations, and thus they have kept wages and prices here and there lower than they otherwise would have been.

With almost no notice, the unions of federal government employees have accepted a guidepost award this year. There is no doubt that last year's fairly moderate steel settlement was made possible because the guideposts gave a figure the government intervenors use. Steel, aluminum, newsprint and cigarette prices have gone up less, because of the guideposts, than they would have gone up 10 years ago. Although no one can prove the case, it is the pragmatic guess of this writer that even the construction unions, despite their words, will in fact settle for somewhat smaller gains (though still, of course, in excess of the guideposts) this year, just because of the existence of a somewhat organized public opinion.

In short, "restraint" – *i.e.* guideposts – will have some moderating influence where men, rather than pure economic forces, have an influence over decisions. The effect will be modest, but it will exist. To the extent it exists, it makes safer a policy of driving the economy harder.

Third, there is the issue of how much inflation we can tolerate. Dropouts will be employed, bailing wire will keep machines going, and Roger Blough of US Steel will act the statesman. But still prices will rise if we drive the economy as we are doing. They have risen already. How much is too much?

I do not know. I suggest, however, that we can tolerate a price rise on the order of three percent or even four percent over a short period of about one year if that rate of price increase does not last.

Germany, France, Sweden and Holland have done so without grave difficulty, for more than a year. All have driven unemployment well below our levels. Britain has done so too. But Britain is in trouble and the others are not. The reason, of course, is that mysterious thing called the balance of payments.

The argument here could go on forever. Briefly, my contention is that the American balance of payments, and in particular our trade surplus, is far more immune from price and even wage movements than those of European nations.

We export only four percent of our total output of goods and services, far less than any European country, and a moderate upward change in our price level is unlikely to have any big impact on our share of the world market (just as our recent price stability by comparison with our competitors has not increased our market share).

In Britain, a higher level of wages or prices, or both, matters a great deal to the maintenance of the value of the nation's currency *vis-à-vis* others; I seriously doubt that this is so in the case of the United States, within the limits we are talking about. Caterpillar Tractor machines will continue to be sold abroad because of quality, not price. Our gold loss will not increase, and the dollar will certainly not be devalued, if our price rise hits even four percent for a while.

Apart from the balance of payments, there is of course the argument that inflation is unjust. It is. I am simply suggesting that unemployment – even if now it is not as long-term as it was and is very low among family breadwinners – is more unjust. Economists rightly talk of the "trade-off" between so much inflation versus so much less unemployment. Fair enough. I am choosing lower unemployment and accepting somewhat more inflation, though as argued above, I doubt that the inflation will be as bad as the worriers fear.

Fourth and last, there is the problem of "overbraking." All of us are agreed on one thing: we want the expansion to continue and to avoid a recession. Those who favor applying the brakes do so, in complete good faith, on the ground that this will prolong, not shorten, the expansion. However, for better or worse, we are already using the brake of a tighter monetary policy, whose effects are likely to be powerful later this year. In addition, the normal growth of our tax revenues,

plus another social security tax increase next January, will move fiscal policy in the direction of restraint early next year. Thus, a tax increase request now, allowing for the fact that it could not be in effect before June or July at the earliest, might well "bite" at just the wrong time, when the economy was ready to slow down of its own accord.

This is no more than a statement of a risk. The other side claims the greater risk to sustained prosperity is to let inflationary pressure mount, for there will be an inevitable post-inflation recession. No man can say for certain which view is right. But it is worth pointing out that the boom is good for us, not bad; a hangover is not inevitable; perhaps we should hold our fire at least until we see the bloodshot in its eyes. As President Johnson has pointed out, not all the economic indicators even now are screaming "inflation."

Once again the case comes down to a gamble: Why not go for broke? Has anybody noticed that there are no riots in Cleveland or Detroit lately, or in West Virginia, or even in Newark or Harlem? Full employment does not solve everything, but it solves some things. Maybe if we let 'er rip, even people in Watts will find ways to get to work.

Nobody wants to exceed the speed limit. But slow drivers can be dangerous, too. Until we know what the speed limit is, why not test it? Other countries have achieved genuinely full employment. Why not us?

Mrs. Gandhi's Mission

What India Wants from the US

by Alex Campbell

New Delhi

This country is facing its biggest crisis since independence, two decades ago, and urgently requires American help to overcome it. A very high official here says, "India is teetering between success and failure, and we'll probably know by August which it's to be." Thus, the meeting in Washington this month between Prime Minister Indira Gandhi and Lyndon Johnson could be crucial.

Indians, who are no better than the rest of us at guessing what goes on inside President Johnson's head, are asking nervously if, as the price of aid to India, he will ask Mrs. Gandhi to stand up and be counted alongside the US over Vietnam. They also wonder if he will demand from her some gesture like cutting down the number of Indian soldiers confronting Pakistan, to get the Kashmir problem settled so that India can help the US "contain" China.

Perhaps the Indians are being overly apprehensive. Possibly Mr. Johnson will gladly offer India the aid it so badly needs, without imposing on Mrs. Gandhi any awkward conditions. If so, New Delhi will release a pent-up sigh of relief. For although it can be papered over with bland ambiguities about wanting peace and abominating war, a gulf exists between Indian and American official thinking about vital Asian problems. Indians detect with some alarm that even friendly well-informed Americans are inclined to read their own meanings into Indian attitudes; on China, for example. It's no secret that ever since October, 1962 India has regarded the Chinese with sharp suspicion and bitter resentment. China's Himalayan attack that year put the Indian army, the country's pride and joy, to shame. It cruelly revealed that a lot of surface spit and polish and Sandhurst posturing – Indian generals still speak English and call one another "old boy" – covered up a great deal of Indian slovenliness. Last year, Indian dislike of China was reinflamed when the Chinese once more fired off guns in the Himalayas, this time in concert with a brief but destructive summer war between India and Pakistan. But none of this means, for a moment, that India is now willing to stand shoulder to shoulder with the US, in a military sense, to "contain" China. To imagine it does, and that India's 825,000-man army can be confidently counted a factor in that particular crusade, could be the American mistake of the century.

Americans here talk of India as a great anti-Communist counterweight to Red China. Some of them envisage India joining hands with Japan and other Asian countries to thwart Chinese designs. There is currently

Boston, I am asking Father Foley, our president who is in Mobile, to inform you of any further arrangements. Unless notified otherwise, regard him as your contact person.

I am deeply grateful that our annual meeting will be able to hear you, although unfortunately I will not be able to be there. Our brief association has been both a pleasure and an inspiration, and may I take this opportunity to convey my best wishes to you in your further service in this crucial cause.

Most cordially,

BRH

Rev. Robert E. Hughes

REH:dsh
cc: Father Albert S. Foley
Paul Rilling

Paul - Gene Etheridge in responding to my inquiry as to his availability next Sept. called today to state that he could be available June 1st for us if desired. Looks like we'll have a permanent recruit to the profession as he hopes to spend the rest of his active ministry in this field - whether he begins in Ala. or elsewhere. Congrats on the selling job you've done! Congrats also on your new status. Want to meet you somehow sometime before Jim [illegible] gone.

BEST COPY AVAILABLE

Injunction protect property
Business = Property, say judges

Inj → then Contempt

Is Injunction good? Why Bad?

Personal liberty vs. Potential Damage

Labor Injunction

About 1880 — Illegal

R.R. in receivership
Court appointed receiver
Workers went on strike
Unmindful that they were interfering with duties of officer of court
An equity court —

What is an equity court

Same judge — different rules
"To Do Equity" — usually property
Satisfy "Kings Conscience" when common law didn't cover
Where remedy at law not suitable
"Money damages" would not cover

Avoidability
Showing Relief

Cut down old Trees

No juries —
Require to do or undo something
Punishment was for contempt of court
Swift, Sure, no jury.

So judge sentenced strikers for contempt of Ct.

The Devil is Born
Temporary Restraining Orders
Blanket injunctions — (1922 Ry Case — Barber who was pro-union hung sign "No Scabs or Strikebreakers wanted on Courtroom)

Relate Conspiracy Doctrine to Prevailing theory (Econ-Soc)

Wage Fund Theory — In any year so much is available — a fixed Amount for wages to distribute equitably

To force differently

1) Seems Hapless

2) Malicious as against others

In our Time [Fallacious Nature of "Theory"]

Post WAR II Depression

Industrialization was a Religion — a great force

Direct ~~the~~ Employee - Employer relations

Code still governed in spite of factory system

Back To Conspiracy

Use of Combined economic power for purposes of wages, etc. was bad for economy

A Value judgement — Based on Above

In Logic

Combination not illegal

Refusal to work not illegal

"Desire" for better Standards Not Unlawful

But Such Combinations interfered with Natural Law —

1932 – 1947 Encouragement

Norris-Laguardia Act – 1932

NIRA – 1933

NLRA – Wagner 1935

New Real Legislation

No New Worker Rights

But "Thou Shalt Nots" for Employers.

1947 – Restraint – Regulation

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Co. called man in — suggested he pay dues, that Union would accept without fine — Refused
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II – Reporting by Labor Orgs., Officers & Employees of Lab. Orgs. & Employers.

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1914 — 1919 Toleration — Some encouragement
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Workingmen reactions — burning in effigy
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ECONOMIC

623 South Wabash Avenue

Dear Sir and Brother:

As Labor Educators, I am sure that you are interested in the approaching Conference sponsored by the AFL-CIO Social Security Department to be held at the Sheraton-Chicago Hotel, Chicago, Illinois, April 19 and 20, 1968.

I am enclosing information about the Conference and the program outline. If you will note, the program is designed to establish and create more interest and activity by Labor Leadership in the more pressing social problems that are a part of the AFL-CIO priorities and goals.

In cities, towns, and rural areas, Labor is being called upon to furnish representation to serve on Policy Making Boards and Commissions to plan, organize and administer programs such as Community Action, Manpower and Development, Urban Renewal, Housing, Medical Services, Legal Services, Public Transportation, Industrial Development, Air and Water Pollution, and many others that are important not only to members but all of the citizenry.

It is our hope that from these Regional Conferences can come a reevaluation of program priorities for Summer Schools, Conferences and Institutes, with special emphasis upon mobilizing as a pressure group to bring about change legislatively in such areas as Housing, Health Services, Welfare, Safety, Education and Employment. Hoping to utilize all of the resources of Labor on the Community level to pressure for change towards new concepts and ideas to tackle the social and economical problems of the Urban and Rural Communities.

Priority should be given to training Leadership with special expertise geared to the problems of the late 60's and 70's that goes beyond wages, hours, and working conditions. Solutions to these problems far exceed the ability to interpret a contract, handle a grievance, or conduct a meeting. Possessing the know-how is helpful, but the point is - if we expect our members to make a contribution as a knowledgeable member of that Planning Committee or Policy Making Board in these complicated problems, representing Labor - shouldn't we be providing them with the proper tools to perform the job?

We hope that this Conference can provide some new insights. Looking forward to seeing you there.

Fraternally,

Hobert P. Butler

Hobert P. Butler
Labor Liaison
Great Lakes Region, O.E.O.

Enclosure

University of Wisconsin
School for Workers

LEGAL STATUS OF UNION SECURITY CLAUSES IN WISCONSIN

1. The Labor-Management Relations Act, 1947 prohibits a CLOSED SHOP clause.

> "Sec. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8 (a)(3)."

2. The Labor-Management Relations Act permits a UNION SHOP or MAINTENANCE of MEMBERSHIP clause

> "Sec. 8 (a)(3)...nothing in this Act...shall preclude an employer from making an agreement with a labor organization...to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment..."

PROVIDED THAT:

A. "...such labor organization is the representative of the employees as provided in section 9 (a), in the appropriate collective-bargaining unit covered by such agreement when made."
- Section 8 (a)(3) -

B. "Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State...in which such execution or application is prohibited by State...law."
- Section 14 (b) -

Thus, under the Taft-Hartley Act a union shop clause is permissible when it is negotiated by the designated or selected representative of a majority of the employees in a collective bargaining unit UNLESS it is explicitly prohibited by state law. Does Wisconsin law at present prohibit a union shop clause in collective bargaining agreements?

3. The Wisconsin Employment Peace Act, 1939 permits a UNION SHOP or MAINTENANCE of MEMBERSHIP clause.

> "Chapter 111.06 (1)(c)1....an employer shall not be prohibited from entering into an all-union agreement (an agreement...whereby all or any of the employees in such unit are required to be members of a single labor organization) with the representatives of his employes in a collective bargaining unit..."

PROVIDED THAT:

A. "...at least two-thirds of such employes voting (provided such two-thirds of such employes also constitute at least a majority of the employes in such collective bargaining unit) shall have voted affirmatively by secret ballot in favor of such all-union agreement in a referendum conducted by the board...

B. "The board shall declare any such all-union agreement terminated whenever it finds that the labor organization involved has unreasonably refused to receive as a member any employe of such employer."

THUS, IN WISCONSIN, IF THE REFERENDUM REQUIREMENT IS MET SUCCESSFULLY, A UNION MAY NEGOTIATE FOR INCLUSION IN ITS COLLECTIVE BARGAINING AGREEMENT A UNION SHOP OR MAINTENANCE OF MEMBERSHIP CLAUSE.

4. In the administration of a UNION SHOP clause the Labor-Management Relations Act provides that:

> "Sec. 8 (a)(3)...No employer shall justify any discrimination against an employee for nonmembership in a labor organization...if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership."

5. The Labor-Management Relations Act further provides that:

> "Sec. 9 (a) Representatives designated or selected for the purposes of collective bargaining by

> the majority of the employees in a unit appropriate for such purposes, shall be the EXCLUSIVE representatives of ALL employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment..."

This means that a union, even in the absence of a Union Shop clause, must "represent non-union members of the (unit) without hostile discrimination, fairly, impartially, and in good faith." The National Labor Relations Board in the Hughes Tool Company Case, 104 NLRB 318 (1953), ruled that:

> "The duty of equal representation...is inherent in the exclusive representative status accorded by the statute...We...find that... Section 9 (a)...gives rise to a duty by labor organizations, as the exclusive representative in grievance proceedings, impartially and without discrimination to accept and process all grievances placed in its hands by the employees it represents" regardless of their union membership or not.

Labor Law

NO. 258

IN THE

Supreme Court of the United States

OCTOBER TERM, 1959

INTERNATIONAL ASSOCIATION OF MACHINISTS, ET AL., *Appellants*,

v.

S. B. STREET, ET AL.

ON APPEAL FROM THE SUPREME COURT OF THE STATE OF GEORGIA

MOTION FOR LEAVE TO FILE A BRIEF AS AMICUS CURIAE AND BRIEF FOR THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS AS AMICUS CURIAE

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17 17

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a Guide for Labor Organizations to the Filing Requirements of the

Labor Management Relations Act, 1947

Section 9 (f), (g), and (h)

National Labor Relations Board: 1957

Labor Law — NLRB

NATIONAL LABOR RELATIONS BOARD

RULES AND REGULATIONS

AND

STATEMENTS OF PROCEDURE

SERIES 8, AS AMENDED
REVISED JANUARY 1, 1965

LABOR MANAGEMENT RELATIONS ACT, 1947
AS AMENDED SEPTEMBER 14, 1959

T-H Amended 1959

Text of Labor Management Relations Act, 1947, as Amended by Public Law 86-257, 1959 *

Key to Amendments

Portions of the Act which have been eliminated by the Labor-Management Reporting and Disclosure Act of 1959, Public Law 86-257, are enclosed by black brackets; provisions which have been added to the Act are in italics; and unchanged portions are shown in roman type.

[Public Law 101—80th Congress]

AN ACT

To amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND DECLARATION OF POLICY

SECTION 1. (a) This Act may be cited as the "Labor Management Relations Act, 1947."

(b) Industrial strife which interferes with the normal flow of commerce and with the full production of articles and commodities for commerce, can be avoided or substantially minimized if employers, employees, and labor organizations each recognize under law one another's legitimate rights in their relations with each other, and above all recognize under law that neither party has any right in its relations with any other to engage in acts or practices which jeopardize the public health, safety, or interest.

It is the purpose and policy of this Act, in order to promote the full flow of commerce, to prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce.

---

* Section 201 (d) and (e) of the Labor-Management Reporting and Disclosure Act of 1959 which repealed Section 9 (f), (g), and (h) of the Labor Management Relations Act, 1947, and Section 505 amending Section 302 (a), (b), and (c) of the Labor Management Relations Act, 1947, took effect upon enactment of Public Law 86-257, September 14, 1959. As to the other amendments of the Labor Management Relations Act, 1947, Section 707 of the Labor-Management Reporting and Disclosure Act provides:

> *The amendments made by this title shall take effect sixty days after the date of the enactment of this Act and no provision of this title shall be deemed to make an unfair labor practice, any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.*

525542 O—59——1

Labor Law NLRB ~~[illegible]~~

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AS AMENDED BY THE

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT, 1959

Compiled by

Sylvia H. Washington

NATIONAL LABOR RELATIONS BOARD
LIBRARY
Washington, D. C.

IUD Protests NLRB Ruling

The Industrial Union Department has challenged an NLRB ruling that a union contract is not a bar to a representation election if it requires a member to notify both union and management of intent to revoke a dues checkoff authorization.

In a case involving a Utility Workers Union petition for an election at a plant under contract to District 50, United Mine Workers, the Board ruled that the member is required only to notify management. The Board has now consented to reconsider and the IUD will file a brief on Nov. 16. The IUD has been joined by 11 affiliates, the AFL-CIO, the Metal Trades and the Building Trades. The Utility Workers are not a party to the case.

Most union contracts require that both the union and the company must be notified before a revocation becomes final. When Taft-Hartley was adopted in 1948, the U. S. Dep't of Justice approved a form so providing. If the ruling stands, stable relationships between labor and management could be threatened at many plants.

Taft-Hartley is silent on the contract bar issue. The Board had established common sense rulings designed to promote reasonable labor-management stability and to prevent turmoil within bargaining units because of an endless stream of election petitions.

The only legal restriction on the checkoff is that it cannot be irrevocable for more than one year. In its ruling, the NLRB took the position that "although the Act is silent" on who shall be notified of revocation, "we cannot construe it other than as requiring notice only to the employer . . ."

Sperry-Rand Cooperation

Cooperation among IUD affiliates facing contract negotiations with Sperry-Rand Corp. will be mapped at a meeting of the unions early this coming winter.

Agreement on cooperation was worked out at a meeting held at IUD headquarters in Washington in late October. Thirty-four delegates from the International Union of Electrical Workers, International Brotherhood of Electrical Workers, the Machinists, and Steelworkers attended the meeting which discussed economic data and the need for a common front.

COORDINATED BARGAINING. Over 45 delegates from four unions holding contracts with Sylvania Electrical Products meet in Buffalo to discuss company's economic proposals. Delegates unanimously rejected the offer as "inadequate." The all-day meeting was sponsored by the IUD and chaired by its organizational director, Nicholas Zonarich.

Real Wages Sink Again; Living Costs Still Climbing

Living costs rose again in September, surging ahead by 0.2 percent to another all time record high. Because of higher prices and part-timing, real earnings were below last year.

The Consumer Price Index reached 126.8, meaning that prices were 26.8 percent higher than in the 1947-49 period.

Prices were 1.3 percent over last September, meaning more bad news for the average American. The latest rise in the living cost indicator came just as the GOP claims about stable prices reached their peak during the election campaign.

Prices have risen despite continued tight money policies. The present rise was attributed among other things to most elements of housing, an area greatly affected by high interest rates.

Home furnishings rose 0.6 percent, re turning to the level existing before th year's August sales. Seasonal rises we reported in home fuel costs. Gas bi were up 1.0 percent, due chiefly to i creases in Pacific Coast cities and in tv Eastern cities.

Apparel costs were up 1.5 percent a food prices rose 0.1 percent. Transp tation costs, on the other hand, w down by 1.0 percent. This was chiefly to more liberal discounts by de ers seeking to rid themselves of huge c stocks of new 1960 autos to make for the 1961 model.

Used cars were also down in pri a contraseasonal trend. This was a tion of the huge new car invent uation, and of the trend toward compacts.

About 75,000 workers received wage increases of one cent under cost-of-living escalators. Some 25,000 others received two or three cents.

As living costs rose, real dollar earnings of factory workers continued to decline. The factory workweek dropped from 39.8 in August to 39.6 in September, causing earnings to fall slightly to $90.68 weekly. The dip in the workweek was largely offset by a one cent per hour rise in hourly wages.

Spendable earnings this September were 0.6 percent higher than last year—during [illegible] were up

Heritage of Eisenhower Remains in Labor Board

While it is still too early to determine the election's impact upon national labor policy, the heritage of the Eisenhower Administration will not be easily cast aside.

Throughout most of the past eight years, labor policy has been made almost as much by the National Labor Relations Board as by Congress. This key agency has been stacked against organized labor by the outgoing President.

Sen. Wayne Morse (D., Ore.) charged four years ago that the Labor Board had taken over legislative functions in the labor-management relations field.

"The sad thing is," the Senator told an IUD meeting at that time, "that this reactionary Administration is doing pretty well in accomplishing its legislative objectives without the passage of legislation at all. They have done it with a few appointments to the National Labor Relations Board that have usurped the legislative processes of the Congress."

This situation has not changed for the better since 1956. The NLRB has remained stacked against labor, and has continued to make law by decree.

The NLRB has permitted a pattern to emerge which frustrates the right to organize. Employers have been able to fire workers taking the lead in organizing activity on the flimsiest pretext.

If collective bargaining is to take its proper place in the years ahead, administration of the law must be changed. Current appointments to the NLRB, however, continue to run almost until the end of the first term of the new Administration.

Boyd Leedom, present NLRB chairman, was named to his post in the first Eisenhower term. Reappointed by the outgoing President, Leedom's term runs through 1964. This South Dakota judge had no experience in labor-management relations prior to his appointment to the NLRB. Kennedy can displace Leedom as chairman, since the President can designate the member of the NLRB to hold the post.

Philip R. Rodgers, former administrative assistant to the late Sen. Taft and a reputed author of the Taft-Hartley Act, was first named to the NLRB in 1953. Reappointed by Eisenhower in 1958, his term runs until August of 1963.

By tradition there is bipartisan representation in the supposedly independent administrative agencies. Eisenhower got around this in the case of the NLRB by naming Joseph L. Jenkins, a "Democrat for Eisenhower" in 1957. The term of this former NLRB regional attorney expires next August.

John Fanning, the "liberal" member of the Board, came from the Defense Dep't where he was in charge of labor relations. His term continues until December of 1962. He is listed as a Democrat.

Arthur A. Kimball is an interim appointee, whose appointment is still to be confirmed by Congress. He has no previous labor relations background.

A key post in the NLRB is that of General Counsel. It is up to the General Counsel to determine whether or not a complaint shall be processed by the NLRB. Stuart Rothman, former Labor Department solicitor under Sec. James Mitchell, now holds this important traffic cop post.

Rothman's four year term continues through 1963. While NLRB general counsels have resigned with a change of Administration, such a step is not obligatory.

Court to Review Boycott Ruling

The Supreme Court has agreed to review a lower court's secondary boycott ruling against the Int'l Union of Electrical Workers that—if left to stand—could seriously limit labor's traditional picketing rights.

The alleged boycott involves a 1958 strike at GE's Louisville Plant when union members set up a picket line at a plant gate reserved for the use of workers employed by independent contractors.

According to the National Labor Relations Board, the strikers asked the neutral employees not to cross the picket line and issued special passes so that these employees could enter the plant and get their tools.

The Board charged that "the pickets left no doubt that the picketing [at the special gate] was aimed at the contractors and their employees."

Answering the NLRB decision, the IUE claims that unions have traditionally had the right to appeal to neutrals presenting themselves at the gates of a struck plant. It adds that if the ruling is upheld, organized labor may find it illegal to seek strike support from customers, suppliers, and transporters coming to a struck plant.

CEMENT UNION GUEST. Felix Jones, general president of the International Union of Cement, Lime and Gypsum Workers, pins a guest badge on Jacob Clayman, IUD administrative director, as he welcomed the latter to the union's recent convention in Dallas.

Jane Addams Republished

Jane Addams' "Peace and Bread" was written almost 40 years ago. It has just been republished by the Women's International League for Peace and Freedom, with the aid of grants from the Sidney Hillman Foundation and the Amalgamated Clothing Workers to the Jane Addams' Centennial Committee.

The book, which includes an introduction written for a 1945 edition by Philosopher John Dewey, is partially an account of the 1,136 women who gathered at the Hague in 1915 to try to stop the slaughter that had engulfed the world in the first global war.

Miss Addams was born in 1860, and her career was a continual struggle for the underdog and for a better world. ACWA joined in the work of republication of the book in commemoration of the great reformer's service to the union in its early years.

The Centennial Committee was initiated by the Women's International League and its sponsors include both Herbert Hoover and Eleanor Roosevelt. The book is a major part of the centennial observation and can be ordered at $1.25 per copy from Jane Addams House, 2006 Walnut St., Philadelphia 3, Pa.

The book is valuable as an analysis of a fight for peace that failed, as well as an historical document.

Jane Addams founded the Women's League and headed it until her death in 1935. She has been described by Sen. Paul Douglas of Illinois as one of two Americans "who most closely approached saint-hood." The other was Abraham Lincoln.

Coordination Making Gains

The IUD's coordinated organizing drive in Philadelphia is making good progress. Of 10 organizing campaigns in which IUD coordination has played a part to date, seven have been successful.

With activity gaining momentum and scope, four campaigns have been won in recent weeks. The largest of these involved some 300 workers at the Quaker City Iron Works.

The United Auto Workers emerged as victor in a hard fought campaign at this plant. It received 159 votes against 61 for District 50 of the United Mine Workers.

IUD Coordinator William Layman has also reported that at the Filmont Pressed Steel Co., the UAW was voluntarily recognized as bargaining agent for about 100 workers after the majority signed union authorization cards in a drive involving IUD coordination.

At Wayne Iron, a firm employing about 135 workers, the United Steelworkers was victorious following a coordinated drive. At I. Z. Motors, a small firm, the UAW was victorious by a vote of 18 to 1.

Layman has reported good cooperation among the more than 20 unions participating in the coordinated effort. Currently, the IUD is working with the Oil, Chemical and Atomic Workers in carrying out a drive in which OCAW local unions are participating.

Harold Ash, who had long experience in the CIO Department of Organization, has been added to the IUD staff in the Philadelphia area and Pete Riley, who had been on loan from the American Newspaper Guild, has returned to his regular union assignment.

Reviewing the situation, IUD Organizational Director Nicholas Zonarich has expressed satisfaction with progress to date. "We are hopeful," he said, "that progress will snowball in the months ahead."

Higher Education

A recent Elmo Roper survey for the Ford Foundation showed that 70 percent of all families are "planning" to send their children to college. But only two out of five families are able to put anything aside for this purpose, and then the median amount saved is only $150 a year. Yet, costs of a four year university education are already figured at from $6,000 to $10,000 depending upon the school. Scholarships on the average are worth only $145 each.

SHIPBUILDERS CONVENTION. Top officers of the International Union of Marine and Shipbuilding Workers of America were reelected to their posts at the organization's recent convention in New York. Shown here are: Ross Blood, IUMSWA secretary-treasurer; Joseph A. Beirne, president of the Communications Workers of America and a featured speaker; John Grogan, IUMSWA president; Andrew Pettis, IUMSWA vice-president.

New Classroom Lag Shows Federal Help Imperative

As school began this year, the nation was still short at least 132,000 classrooms.

In the 1959-60 school year, some 63,000 classrooms had been built. This was 10 percent fewer than in the 1958-1959 year. In part, the fewer classrooms were built in the most recent school year because of the tightening of money and because high interest rates made costs prohibitive for some communities.

The United States has remained virtually at a standstill in meeting classroom shortages despite the building of 130,000 classrooms in the past two years. Shortages in 1958 were conservatively placed at 135,000 classrooms.

The great population explosion and the continued rise in school enrollments have kept pace with school construction. Rising costs of classrooms and high interest rates have aggravated the problem. Record birth rates of the past five years indicate that schoolroom needs will be even greater and that shortages may mount again in the next several years.

With the present slack in the U. S. economy, a program of school construction makes especially good sense. Total school construction outlays by the states for new plants is scheduled to reach about $3.5 billion this year, less than the U. S. spends for cigarettes.

In the 86th Congress, an attempt to spur school construction was beaten back when the House Rules Committee refused to clear a final bill. The Senate had passed a $917 million bill for both construction and teachers' pay, and the House had passed a $1.3 billion measure which would have assisted construction of classrooms over a three-year period.

It is probable that the bills would have resulted in about $400 million in school construction aid annually to the localities. With classrooms costing about $40,000 each, federal aid would have added a maximum of 10,000 new units a year. This would have permitted the nation to continue at the 70,000 construction rate.

A federal program must be begun soon, if the nation is not to slip further behind. Such a program now would provide both needed jobs and stimulus to an economy that has been sagging seriously.

According to Dr. Walter Heller of the University of Minnesota, each $100 million of school construction will provide 15,000 man-years of work on and off the job site. It will create a demand for $6 million of electrical equipment, $12.7 million for plumbing and heating; $6 million for steel; $2 million for brick and tile; $5.1 million for concrete and concrete block; $3.5 million for millwork, $3.2 million for windows and glass; $3.9 million for kitchen equipment and $1 million for asphalt floor covering.

Indiana Agency Shop Reaffirmed by NLRB

INDIANAPOLIS, Ind. — The National Labor Relations Board has, in effect, reaffirmed the legality of the agency shop in so-called "right-to-work" states like Indiana, refusing to issue a complaint against AIW Local 270 on the grounds that no proof was submitted that the agency shop violated federal law.

The test of the agency shop, first of its kind involving Indiana labor since agency shop agreements were written following enactment of this state's compulsory open shop law, involved two workers employed by Fittings, Inc., here.

The case was first filed early in October 1959 by two men who had withdrawn from the union and subsequently refused to pay initiation and regular monthly fees contending that the AIW's insistence that Fittings, Inc. live up to the agency shop agreement was a violation of Sect. 8 (b) (1) (A) and Sec. 8 (b) (2) of the labor law.

Two months after the charge was filed, the company, complying with its contractual obligations to Local 270, discharged the two men. Early in January 1960 the National Labor Relations Board, through the Indianapolis office, dismissed the charges.

Aiding the local in handling the legal aspects of the case was the general counsel of the AIW; Bernard M. Mamet of the Indiana Workers Protective Committee; and Lyle Daugherty, AIW representative.

NLRB Vote Won by Peninsula Workers

WARREN, Mich. — Workers at the Peninsula Chemical Products, Inc., here have voted, by a large margin, to join Local 267 of the AIW.

The AIW won bargaining rights at the plant in an election conducted by the National Labor Relations Board.

Insurance Pay Hike Feature Local's Pact

LANSING, Mich.—A new three-year agreement, providing for a minimum 18-cent-an-hour wage boost over the life of the contract, has been signed by AIW Local 182 with the Dail Steel Products here.

The contract calls for wage increases of 6 cents per hour or 2.5 per cent, whichever is the greater, in each of the three years, coupled with freezing of 9 cents per hour of the present cost-of-living into the wage structure. At the same time, the living-cost escalator in the previous contract is continued.

The pact also provides for increased insurance benefits, with the installation of the Michigan Blue Cross-Blue Shield M-75 plans B and C, with an added feature permitting employes on leave or layoff to carry the insurance for a period of 90 days at the group rate, followed by the right to transfer to the direct payment plan.

Other sections of the contract were clarified and improved.

Negotiations for AIW Local 182 were conducted by Branch Chairman Helen Grinnell, Committee Chairman Ernest Roberts, and Committeemen Thomas Shaw and Harold Pant. They were assisted by Dist. Rep. Laurence S. Miller.

BEST COPY AVAILABLE

Form R-1
(Rev. May 1957)

Form Approved
Budget Bureau No. 44-R700.7

4

LABOR ORGANIZATION REGISTRATION FORM

Act of June 23, 1947, as amended (61 Stat. 136, 29 U.S.C. 141 et seq.).

TO: BUREAU OF LABOR STANDARDS,
UNITED STATES DEPARTMENT OF LABOR, WASHINGTON 25, D. C.

Section 9 (f) and (g) of the National Labor Relations Act, as amended, requires that the following information be filed with the Secretary of Labor and kept up to date annually, before the National Labor Relations Board is authorized on petition or charge of a labor organization to take certain action in representation and unfair labor practice cases. This report must be filed not only by any labor organization desiring to raise any such question before the Board, but also by any national or international labor organization of which such labor organization is an affiliate or constituent part.

CHECK ONE: First filing_____ Subsequent filing_____

1. FULL NAME OF ORGANIZATION (LOCAL NUMBER, IF ANY)

2. PRINCIPAL BUSINESS ADDRESS, (STREET, CITY, ZONE, STATE)

3. NAME AND ADDRESS OF PARENT NATIONAL OR INTERNATIONAL UNION, IF NONE, CHECK ☐ 1/

4. (a) LIST THE NAMES, TITLES, AND COMPENSATION AND ALLOWANCES OF YOUR THREE (3) PRINCIPAL OFFICERS WHO SERVED DURING THE PRECEDING FISCAL YEAR. COMPENSATION INCLUDES SALARIES OR FEES FOR PERSONAL SERVICES RENDERED. INDICATE THE MANNER IN WHICH THEY ARE ELECTED OR APPOINTED OR OTHERWISE SELECTED.

NAME	TITLE	HOW SELECTED	TOTAL COMPENSATION FOR THE YEAR EXCLUDING ALLOWANCES	TOTAL ALLOWANCES FOR THE YEAR	LIST SEPARATELY NON-CASH ITEMS
			$	$	
1.					
2.					
3.					

(b) LIST THE NAMES, TITLES, AND COMPENSATION AND ALLOWANCES OF ALL *other* OFFICERS, EMPLOYEES AND AGENTS WHOSE COMPENSATION AND ALLOWANCES FOR THE PRECEDING FISCAL YEAR EXCEEDED $5,000. COMPENSATION INCLUDES SALARIES OR FEES FOR PERSONAL SERVICES RENDERED. INDICATE THE MANNER IN WHICH SUCH OFFICERS, EMPLOYEES AND AGENTS ARE ELECTED OR APPOINTED OR OTHERWISE SELECTED. IF NONE, CHECK ☐.

NAME	TITLE	HOW SELECTED	TOTAL COMPENSATION FOR THE YEAR EXCLUDING ALLOWANCES	TOTAL ALLOWANCES FOR THE YEAR	LIST SEPARATELY NON-CASH ITEMS
			$	$	

5. THE INITIATION FEE OR FEES WHICH NEW MEMBERS ARE REQUIRED TO PAY TO JOIN UNION IS $_____.
IF MORE THAN ONE RATE APPLIES, INDICATE:
MINIMUM $_____
MAXIMUM $_____

6. THE REGULAR DUES OR FEES WHICH MEMBERS PAY TO REMAIN IN GOOD STANDING ARE $_____ PER _____ (YR., MO., ETC.)
IF MORE THAN ONE RATE APPLIES, INDICATE:
MINIMUM $_____
MAXIMUM $_____ PER _____ (YR., MO., ETC.)

7. ARE PER CAPITA TAXES OR DUES RECEIVED FROM OR REBATED TO AFFILIATED ORGANIZATIONS? YES ☐ NO ☐
IF "YES," COMPLETE THE FOLLOWING:

AMOUNT OF INITIATION FEES RECEIVED OR RETAINED PER NEW MEMBER $_____

AMOUNT OF DUES $_____ RECEIVED OR RETAINED PER MEMBER PER _____ (YR., MO., ETC.)

1/ IN THE CASE OF A NATIONAL OR INTERNATIONAL UNION INDICATE FEDERATION OR OTHER AFFILIATION TO WHICH PER CAPITA DUES OR OTHER PAYMENTS ARE REGULARLY SUBMITTED.

NOTE.—If additional space needed to answer questions, attach extra sheet of paper marked with corresponding numbers.

BALANCE SHEET

STATEMENT OF ASSETS AND LIABILITIES

	Beginning of fiscal year 19		End of fiscal year , 19	
ASSETS *	Amount	Total	Amount	Total
Cash:				
1. Petty Cash.	$----------		$----------	
2. Revolving Funds	----------		----------	
3. Checking Accounts	----------		----------	
4. Savings Accounts.	----------		----------	
5. Cash on Hand.	_____	$ ----------	_____	$ ----------
Securities:				
6. Government Bonds.	----------		----------	
7. Nongovernment Bonds	----------		----------	
8. Corporate Stock	_____	----------	_____	----------
Fixed Assets (Net of Reserves)				
9. Land and Buildings (Itemize in Schedule H)[1/]		----------		----------
10. Furniture and Fixtures.		----------		----------
11. Notes and Accounts Receivable (see Schedule J)		----------		----------
12. Other Assets (Itemize in Schedule K).		_____		_____
13. Total Assets.		$ _____		$ _____
LIABILITIES AND NET WORTH				
14. Accounts Payable.		$ ----------		$ ----------
15. Notes Payable		----------		----------
16. Mortgages Payable		----------		----------
17. Other Liabilities (Itemize in Schedule L)		_____		_____
18. Total Liabilities		----------		----------
19. Net Worth - (excess of Assets over Liabilities) (line 13 less line 18).		_____		_____
20. Total Liabilities and Net Worth .		$ _____		$ _____

*NOTE: Assets used as security or collateral or otherwise pledged during the fiscal year must be itemized in Schedule M. If none, check: ☐ None

1/ Although Line 9 pertains only to property held in the name of the union, Schedule H should contain a description of all land and buildings owned by the union whether held in the name of the union, or trustees, or a building corporation for the union.

☆ U. S. GOVERNMENT PRINTING OFFICE : 1959 O - 496386

Form R - 1(F)
(Revised May 1957)
U. S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

FINANCIAL REPORT SCHEDULES

(Attach separate statement if additional space is required.)

FULL NAME OF ORGANIZATION (LOCAL NUMBER, IF ANY)	FISCAL YEAR ENDING 19
PRINCIPAL BUSINESS ADDRESS, (STREET, CITY, ZONE, STATE)	

Instructions - Schedule A: Itemize any receipts from sale of assets included on line 8, Statement of Receipts and Disbursements, giving details with respect to each asset sold, except securities, inventory, equipment, furniture and fixtures.

Schedule A. - Receipts From Sale of Assets

Kind of Property (If realty give location)	Year acquired	Gross sales price (contract price)	Cost or other basis	Net value on the books	Expense of sale
		$	$	$	$

Instructions - Schedule B: List the name of any officer who repaid advances or loans, with the total amount repaid. List the name of any staff member who repaid advances or loans in excess of a total amount of $500, with the amount repaid.

Schedule B. - Repayment of Advances or Loans

Name	Amount
	$

Instructions - Schedule C: List the name of any officer who received advances or loans, with the total amount received. List the name of any staff member who received advances or loans in excess of a total amount of $500, with the amount received.

Schedule C. - Disbursement of Advances or Loans

Name	Amount
	$

Instructions - Schedules D, E, G, K and L: Separately identify each individual item representing one or more transactions during the year with an individual or organization if the total amount of such individual item is in excess of 25% of the schedule total. Grouping of other items under customary accounting classifications is permissible.

Schedule D. - Receipts from Other Sources

Item	Amount
	$
Total	$

Schedule E. - Other Allowances

Person	Amount
	$
Total	$

Schedule F. - Contributions, Gifts, Grants, etc. to officers or staff not reported as salaries or allowances.		Schedule G. - Other Disbursements	
Recipient	Amount	Item	Amount
	$		$
		Total	$

Schedule H. - Land and Buildings

1. Kind and location of property (Note: Indicate by use of an asterisk (*) property not included in the amount shown on Line 9-Balance Sheet.)	2. Year Acquired	3. Cost or other basis of valuation	4. Total depreciation charged, if any, on buildings since acquisition	5. Net value as shown on the books
		$	$	$

Instructions - Schedule J: List the name of any officer who has any advance or loan outstanding at the end of the fiscal year and state the amount. List the name of any staff member who has any advance or loan outstanding at the end of the fiscal year in excess of $500 and state the amount.

Schedule J. - Notes Receivable

Name of officer	Amount	Name of staff member	Amount
	$		$

Schedule K. - Other Assets		Schedule L. - Other Liabilities	
Item	Amount	Item	Amount
	$		$
Total	$	Total	$

Schedule M. - Assets Pledged or Used as Collateral or Security

Description of assets	Value	By whom pledged or used
	$	

☆ U. S. GOVERNMENT PRINTING OFFICE : 1959 O - 496386

R - 1(F)
(Revised May 1957)
U.S. Department of Labor

Form Approved
Budget Bureau No. 44-R700.7

LABOR ORGANIZATION FINANCIAL REPORT

STATEMENT OF ALL RECEIPTS AND DISBURSEMENTS FOR THE FISCAL YEAR
BEGINNING 19 AND ENDING 19

LINE			
1.	CASH BALANCE AT THE BEGINNING OF THE FISCAL YEAR		$----------
	Add:		
	CASH RECEIPTS		
2.	Dues (or per capita tax from affiliates)	$----------	
3.	Fees excluding work permits	----------	
4.	Work permits	----------	
5.	Fines	----------	
6.	Assessments	----------	
7.	Income from investments (Dividends, Interest, etc.)	----------	
8.	Receipts from sale of assets (Itemize in Schedule A)	----------	
9.	Receipts from sale of supplies (labels, buttons, etc.)	----------	
	Other receipts		
10.	From members	----------	
11.	From affiliated organizations	----------	
12.	From repayment of advances or loans (Itemize in Schedule B advances or loans to officers or staff)	----------	
13.	From other sources (Itemize in Schedule D)	_____	
14.	TOTAL CASH RECEIPTS (Sum of Lines 2 through 13)		$_____
15.	TOTAL CASH ACCOUNTABILITY (Sum of Lines 1 and 14)		$----------
	Deduct:		
	CASH DISBURSEMENTS		
16.	Per capita tax and assessments	$----------	
17.	Other payments to affiliated organizations	----------	
	Salaries — No. of Persons		
18.	Officers _____	----------	
19.	Staff _____	----------	
	Allowances		
20.	Travel and related expenses	----------	
21.	Other (Itemize in Schedule E)	----------	
22.	Advances or loans (Itemize in Schedule C advances or loans to officers or staff)	----------	
23.	Taxes	----------	
24.	Fees for legal services	----------	
25.	Fees for other professional services	----------	
26.	Office and administrative expenses	----------	
27.	Benefit payments to or for members or dependents	----------	
28.	Contributions, gifts, grants, etc. (Itemize in Schedule F contributions, gifts, grants, etc. to officers or staff not reported as salaries or allowances.)	----------	
29.	Publications, publicity, and educational expenses	----------	
30.	Purchase of assets	----------	
31.	Other disbursements (Itemize in Schedule G)	_____	
32.	TOTAL CASH DISBURSEMENTS (Sum of Lines 16 through 31)		$_____
33.	CASH BALANCE AT THE END OF THE FISCAL YEAR (Line 15 less Line 32)		$----------

8. *A copy of the constitution and bylaws of your organization is required to accompany this registration form on the initial filing; it must also be submitted with subsequent filings if it has been amended in any way.* Please indicate which paragraphs or sections of your constitution and bylaws show the procedure followed with respect to the items listed below. If your constitution does not cover each of the items specified, a detailed statement explaining the procedure followed by your organization with respect to the items not covered should be attached to this reply form and marked with the corresponding item number.

(*a*) Qualifications for or restrictions on membership . . . . . _____

(*b*) Election of officers and stewards . . . . . _____

(*c*) Calling of regular and special meetings. . . . . _____

(*d*) Levying of assessments . . . . . _____

(*e*) Imposition of fines. . . . . _____

(*f*) Authorization for bargaining demands . . . . . _____

(*g*) Ratification of contract terms . . . . . _____

(*h*) Authorization for strikes . . . . . _____

(*i*) Authorization for disbursement of union funds. . . . . _____

(*j*) Audit of union financial transactions. . . . . _____

(*k*) Participation in insurance or other benefit plans. . . . . _____

(*l*) Expulsion of members and the grounds therefor. . . . . _____

9. The financial report Form R-1(F), detailing receipts and disbursements, assets and liabilities, must be completed in full. (Note: A report of audit made and signed by a certified or licensed independent public accountant may be submitted in lieu of this financial report, provided that such report contains all of the information and in the detail requested in the financial report Form R-1(F).)

ATTENTION: A false statement submitted on or in connection with this registration form and financial report is punishable at law.

We, the undersigned, duly authorized officials of the above-named union, declare, under appropriate penalties of law, that the information submitted herewith (including the information contained in any accompanying documents) has been examined by us and is to the best of our knowledge and belief, true, correct and complete.

Signed at _____
(city and State)

this _____ day of _____ 19____. _____
President *(or chief executive officer)*

Signed at _____
(city and State)

this _____ day of _____ 19____. _____
Secretary-Treasurer *(or chief financial officer)*

If telegraphic service is requested in connection with this filing, it must be at your expense.

5

INSTRUCTIONS FOR THE USE OF THIS FORM

WHO MUST FILE.—Every labor organization that wishes to use the facilities of the National Labor Relations Board must file this Form NLRB–1085, Distribution of Financial Report Certificate, to certify that it has furnished to all its members copies of the financial report accepted by the Secretary of Labor in satisfaction of Sec. 9 (f) and (g) of the act.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this Form NLRB–1085 with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this Form NLRB–1085 with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—This Form NLRB–1085 must be refiled each time your organization's financial report has been accepted by the Secretary of Labor. Do not file this Form until *after* your financial report has been accepted by the Secretary of Labor and you have furnished copies of that *accepted* report to your members. If you have received an extension of 90 days within which to file and distribute your financial report, remember that this Form NLRB–1085 *must* be filed together with the Department of Labor post card. A newly formed union which has not completed its first fiscal year must file this Form and the Department of Labor post card showing when its first fiscal year *will* end.

HOW TO PREPARE THIS FORM.

a. ITEM 1. Fill in the complete date of the end of the fiscal year which the report covered. If you are a new union, fill in the complete date on which your first fiscal year will end.

b. ITEM 2. Copies furnished members must be copies of the report finally accepted by the Secretary of Labor.

1. National or international labor organizations may use ways "A," "B," "C," or "E," or any combination of them, but must not use way "D." If way "B" is used, the instructions sent with the copies to the local union must cover "(*a*)," "(*b*)," and "(*c*)." No less than all three are acceptable.
2. Local unions may use any of the five ways or a combination of them.
3. If you check "E," you must remember, in describing the way you used, that—
   - (*a*) The method described must be very much like "A," "B," "C," or "D," or a combination of them.
   - (*b*) Neither posting the report nor reading it at a union meeting is alone enough.
   - (*c*) You must arrange to give copies of the report to all members or to make copies available to all members.
   - (*d*) If you distribute the report in a way like "B" or "D," you may use any effective method, such as giving a copy to each member personally, or placing enough copies on a table in the meeting hall and inviting members to take one if they want it.
   - (*e*) If you make the report available at a regular meeting of the union, you need not search out members not at the meeting to deliver copies of the report to them.
   - (*f*) If you hand out the report at the plant gate, shop, bunkhouse, etc., you must also announce at a regular meeting of the union that copies are there for all members, and you must post a copy at the meeting hall, in order to take care of members who were absent from work or otherwise missed outside the meeting hall.

c. CERTIFICATION:

1. Give the *full* name of your labor organization, including the local number, if any.
2. Fill in the business address of your organization, including number, street, city, and State.
3. Give the *full* name of the national or international union with which you are affiliated. If none, check the box.
4. Enter the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which you directly, or your national or international, are affiliated. If none, check the box.

EXAMPLE:
(Address omitted)

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union filing this form, including local number if any)

International Ladies Garment Workers Union ..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

AFL–CIO ..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

5. **DATE AND SIGNATURE:**

One of your officers must sign this certificate. Fill in date of signature and his title of office.

GPO 861667

Form NLRB-1085
(4-58)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

DISTRIBUTION OF FINANCIAL REPORT CERTIFICATE

(Submit single copy only. Before completing, read the Instructions on the back.)

1. Fill in either A or B—B is for newly formed unions only.
   A. The Secretary of Labor has accepted the financial report of the union named below for its fiscal year which ended .....
   B. The Secretary of Labor has accepted the report of the union named below that it is a new union and that its *first* fiscal year will end .....
2. The union has furnished copies of that report to all its members in the following way(s). (Put an "X" in the proper box. If you gave copies to members in more than one way check all proper boxes.)

   (*Important:* The financial report shown by this form as having been distributed must be the report *finally accepted* by the Department of Labor.)

   A. ☐ We published a copy in our paper, or in a bulletin, which we distributed to all our members.
   B. ☐ We sent to each local constituent unit of the union named below enough copies for all its members, with instructions (*a*) to post a copy on the bulletin board or in a conspicuous place at the headquarters and meeting hall of the local, and (*b*) to announce to its membership at the next regular meeting that copies were ready for distribution to all members, and (*c*) to keep ready for distribution enough copies for all its members; which instructions have been carried out, to the best of my knowledge and belief.
   C. ☐ We mailed copies to all our members.
   D. ☐ (*THIS WAY MAY BE USED ONLY BY LOCAL UNIONS.*) We posted a copy in a conspicuous place at the headquarters and meeting hall of the local union, and announced at a regular meeting that copies were ready for distribution to all members.
   E. ☐ We used none of the above ways, but we distributed the report in the following way: (*If you need more space, write on a separate sheet of paper, and attach it to this sheet.*)

I, an officer of the Union, certify that this information is true to the best of my knowledge and belief.

.....
(Full name of Union filing this form, including local number if any)

.....
(Business address: Number, street, city, and State)

..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

....
(Date) (Signature) (Title of office)

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Form NLRB-1080
(4-58)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CERTIFICATE OF UNION OFFICERS

(Submit single copy only. Before completing, read the Instructions on the back.)

The title of each office listed in the constitution and bylaws of the Union named below, the name of the officer occupying each of these offices, and the date of expiration of his term of office is as follows: *(Please print or type. If you need more space, use a separate sheet of paper, and attach it to this sheet.)*

Title of Office	Name of Officer (*If office is vacant, so state*)	Expiration Date of Present Term (*Month*) (*Day*) (*Year*)

I, an officer of the Union, certify that this information is true to the best of my knowledge and belief.

(Full name of Union filing this form, including local number if any)

(Business address: Number, street, city, and State)

(Full name of national or international union of which this filing Union is an affiliate or constituent unit) If none, check ☐

(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit) If none, check ☐

(Date) (Signature) (Title of office)

WARNING.—The attention of persons filing this form with the Board is directed to U. S. Code, Title 18, Sec. 1001 (formerly Sec. 80), which provides that any person willfully making or causing to be made any false or fraudulent statements or representations in any matter within the jurisdiction of the Board shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

INSTRUCTIONS FOR THE USE OF THIS FORM

WHO MUST FILE.—Every labor organization that wishes to use the facilities of the National Labor Relations Board must file this form, signed by one of its officers.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this form with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this form with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—There must be an up-to-date form on file with the National Labor Relations Board at all times. This form MUST be renewed under the following circumstances:

a. Whenever there is a change of officers or offices of your organization.

b. Whenever a trustee or administrator is appointed to take over the affairs of your organization.

c. After every election of union officers, even though there is no change in officers.

d. Whenever the term of office of one or more of your officers changes.

e. Whenever there is a change in affiliation or name.

If your officers are not installed immediately upon election, you should advise the appropriate office of the National Labor Relations Board, as indicated under WHERE TO FILE, when they will be installed. Under such circumstances the old officers will be considered as holding over until the new officers are installed, provided that no affidavit of the old officers will expire prior to the installation date.

HOW TO PREPARE THIS FORM.—Completely fill out the reverse side of this form as follows:

a. TITLE OF OFFICE:

Write in this column the exact title of each office listed in your constitution and bylaws whether the office is vacant or not.

b. NAME OF OFFICER:

In this column show the name of the person occupying each of the offices listed in the first column. If any office is not filled, write the word "VACANT." If one person holds two or more of the offices, show his or her name opposite each office.

c. EXPIRATION DATE OF PRESENT TERM:

Write in this column the date the officer's term of office will expire. Be sure to give the month, day, and year.

d. CERTIFICATION:

1. Give the *full* name of your labor organization, including the local number if any.
2. Fill in the business address of your organization, including number, street, city, and State.
3. Give the *full* name of the national or international union with which you are affiliated. If none, check the box.
4. Enter the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which you directly, or your national or international, are affiliated. If none, check the box.

EXAMPLE (Address omitted)

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union filing this form, including local number, if any)

International Ladies Garment Workers Union ..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

AFL-CIO ..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

5. DATE AND SIGNATURE:

One of your officers must sign this certificate. Fill in date of signature and his title of office.

NOTE.—If you are submitting this form for the first time, you must also submit an "*Affidavit of Noncommunist Union Officer*" for each officer listed on the reverse side of this form. The "*Affidavit of Noncommunist Union Officer*" is known as Form NLRB–1081. If you are refiling this form it is not necessary that a new "*Affidavit of Noncommunist Union Officer*" be submitted for reelected officers if earlier affidavits on file with the National Labor Relations Board are less than one year old.

U.S. GOVERNMENT PRINTING OFFICE : 1959—O-500890

Form NLRB—1081
(1-58)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

AFFIDAVIT OF NON-COMMUNIST UNION OFFICER

(Submit single copy only. Before completing, read the Instructions on the back.)

The undersigned, being duly sworn, deposes and says:

1. I am a responsible officer of the Union named below.
2. I am not a member of the Communist Party or affiliated with such party.
3. I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

.....
(Full name of Union, including local number if any)

..... If none, check ☐
(Full name of national or international union of which this Union is an affiliate or constituent unit)

..... If none, check ☐
(Name of national federation of which this Union, or its national or international, is an affiliate or constituent unit)

Signature .....

Title of office .....

Residence .....
(Number and street)

.....
(City and State)

(The notary public or other person authorized by law to administer oaths must fill in completely all blank spaces below.)

Subscribed and sworn to before me this ..... day of ..... 19.....

A notary public or other person authorized by law to administer oaths and take acknowledgments in and for the county of ....., State of .....

My commission expires .....

.....
(Signature)

[SEAL]

WARNING.—The attention of persons filing this form with the Board is directed to U. S. Code, Title 18, Sec. 1001 (formerly Sec. 80), which provides that any person willfully making or causing to be made any false or fraudulent statements or representations in any matter within the jurisdiction of the Board shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

INSTRUCTIONS FOR THE USE OF THIS FORM

WHO MUST FILE.—This affidavit must be filed by each officer of a labor organization that wishes to use the facilities of the National Labor Relations Board. An affidavit must be on file for each officer listed in your constitution and bylaws. Where an officer holds more than one office, a separate affidavit for each office must be filed by him.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this affidavit with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this affidavit with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—This affidavit is good for only *one year* from the time it is signed and must be renewed each year. Each time a new officer assumes office, whether elected or appointed, he must file this affidavit. If an officer is reelected or reappointed, it is not necessary to file a new affidavit unless or until the affidavit on file with the National Labor Relations Board is one year old.

HOW TO PREPARE THIS AFFIDAVIT:

a. Read carefully items 1, 2, and 3 of this affidavit.

b. Fill in the full name of your labor organization, including the local number if any.

c. Give the full name of the national or international union with which your organization is affiliated. If none, check the box.

d. Enter the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which your organization directly, or its national or international, is affiliated. If none, check the box.

Example:

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union, including local number if any)

International Ladies Garment Workers Union — If none, check ☐
(Full name of national or international union of which this Union is an affiliate or constituent unit)

AFL-CIO — If none, check ☐
(Name of national federation of which this Union, or its national or international, is an affiliate or constituent unit)

e. The officer must sign his name in the presence of a notary or other person authorized by law to administer oaths.

f. The officer must give his title of office and full home address, including number, street, city and State.

☆ U. S. GOVERNMENT PRINTING OFFICE: 1958 O—454197

Form NLRB-3054
(11-57)

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CERTIFICATE OF INTENT

(Submit single copy only. Before completing, read the Instructions on the back.)

I, an officer of the Union named below, certify that within 90 days after the fiscal year ending .....,
(Month) (Day) (Year)
this Union intends to:

1. Refile the required financial report for such fiscal year with the Department of Labor;
2. Furnish copies of the report to its members;
3. Furnish the National Labor Relations Board with a copy of the notice received from the Department of Labor signifying that this Union has refiled the required financial report;
4. File Form NLRB–1085 (Distribution of Financial Report Certificate) with the National Labor Relations Board.

It is therefore requested that the National Labor Relations Board continue to process, during this 90-day period, cases in which this Union is an interested party. It is understood that any action taken in behalf of this Union during this 90-day period is subject to withdrawal, and all matters being processed by the Board in behalf of this Union may be subject to immediate dismissal, if compliance with Section 9 (f) and (g) has not been renewed by the end of the 90-day period.

.....
(Full name of Union filing this form, including local number if any)

.....
(Business address: Number, street, city and State)

..... If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

..... If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

....
(Date) (Signature) (Title of office)

16—72770-2

INSTRUCTIONS FOR THE USE OF THIS FORM

GENERAL.—*This form, if filed within 30 days prior to the end of your fiscal year, may be used to notify the proper office of the National Labor Relations Board of your intent to remain in compliance with Section 9 (f) and (g) of the Labor-Management Relations Act of 1947.* ***It will not, however, extend the filing requirements under Section 9 (h), (affidavit of noncommunist union officer).***

WHO MUST FILE.—Every labor organization that wishes to use the facilities of the National Labor Relations Board during that period (not to exceed 90 days) between the end of the organization's fiscal year and the time it is able to file the required financial report with the Department of Labor and distribute the report to its membership, must file this form, or other written request containing the same information, signed by one of its officers.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this form with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this form with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—To receive the 90-day extension, this form or other written request **must** be filed with the appropriate office of the National Labor Relations Board **before your fiscal year ends.** Do not file it more than 30 days before that date. All matters being processed by the Board in your behalf may be subject to immediate dismissal if this form or other written request is not filed on time.

HOW TO PREPARE THIS FORM.—

a. Read carefully the entire statement contained on the face of this form.

b. Fill in the month, day and year on which your fiscal year will end.

c. Completely fill in the remainder of the form as follows:

1. Give the *full* name of your organization, including local number if any.

2. Fill in the business address of your organization, including number, street, city, and State.

3. Give the *full* name of the national or international union with which your organization is affiliated. If none, check the box.

4. Fill in the name of the national federation, such as AFL–CIO, Confederated Unions of America, National Independent Union Council, etc., with which you directly, or your national or international, are affiliated. If none, check the box.

EXAMPLE
(Address omitted)

Plastic, Button and Novelty Workers Union, Local 506
(Full name of Union filing this form, including local number if any)

International Ladies Garment Workers Union — If none, check ☐
(Full name of national or international union of which this filing Union is an affiliate or constituent unit)

AFL–CIO — If none, check ☐
(Name of national federation of which this filing Union, or its national or international, is an affiliate or constituent unit)

5. One of your officers must sign this certificate. Enter the date of signature and his title of office.

U. S. GOVERNMENT PRINTING OFFICE 16—72770-2

OUTLINE OF LEADING NLRB RULINGS ON CONTRACT BAR DOCTRINE

A. NATURE OF AGREEMENT

1. Oral agreement is not a bar.
2. Members only agreement is not a bar. (Moreover, a members only contract which detracts from the Board certification not only is not a bar, but it will also result in revocation of the certification as well.)
3. Recognition agreement is not a bar. (For a contract to be a bar it must contain substantial terms and conditions of employment which are deemed sufficient to stabilize the bargaining relationship. It will not be a bar if it is limited to wages only.)
4. Contract which covers an inappropriate unit under Board policy or substantially departs from Board certification is not a bar. (Exceptions: inclusion of supervisors or guards in contract unit of production and maintenance workers does not remove contract as a bar.)
5. Where the contract commits the union, during term of contract, to refrain from organizing or representing employees not covered in the agreement, that contract bars a further petition by such union during its term.

B. DURATION OF AGREEMENT

1. A valid contract having a fixed term of duration constitutes a bar for as much of its term as does not exceed two years.
2. Contract with no fixed term is not a bar for any period.
3. Contract which is terminable at will is not a bar for any period.

C. TIMELINESS OF RIVAL PETITION

1. Rival petition is timely 150 to 60 days before the end of the contract term. (Extension of contract which is executed prior to the last 60 days of this period will be considered a premature extension which is not a bar. Extensions executed during or after this 60-day period will not be so considered.)

2. Petition filed during the 60-day insulated period will be dismissed as untimely regardless of conduct of contracting parties during this period.

3. Where the contract is one of "unreasonable duration" (more than two years), the insulated period will be the last 60 days of the reasonable period.

4. Contract executed on same day as filing of petition is a bar if it is effective immediately or retroactively and the employer has not been informed at time of execution that petition has been filed. (Contract is not a bar if the petition is filed prior to execution of the contract, regardless of employer knowledge. Cut off time is midnight, notwithstanding continuous bargaining.)

D. UNION SECURITY PROVISIONS

1. Contract is not a bar if its union security clause (note model on accompanying sheet) on its face fails to conform to the requirements of the Act or has been found unlawful in an unfair labor practice proceeding.

2. Contract is not a bar if the union security clause:

   (a) does not expressly grant old, non-union employees 30 days' grace;

   (b) is accompanied by a provision deferring the effectiveness of invalid clauses or attempting to rescind or amend them; or

   (c) may be interpreted as either lawful or unlawful because of ambiguity or generality of language used.

3. Contract containing union security provisions is not a bar if, within the year before the execution of the contract, a majority of the employees in the unit have voted to rescind the authority of the union to make such agreement.

4. Contract containing union security provisions is not a bar if the contracting union or its affiliated parent is not in compliance with the filing requirements of the Act. For the purpose of this rule, a union is deemed to be in compliance with the filing requirements if it meets <u>any</u> of the following requirements:

   (a) It was in compliance at the time of the execution or renewal of the contract; or

   (b) It received a notice of compliance within the 12-month period preceding the execution or renewal of the contract; or

   (c) It received a notice of compliance before the filing of the petition if initial steps to achieve such compliance were taken before the execution or renewal of the contract; or

(d) It achieved compliance after the filing of the petition if initial steps to achieve compliance were taken before the execution of the contract was achieved within a reasonable period of time.

(Evidence will not be received in representation proceedings for the purpose of determining the validity of union security clauses for contract bar purposes.)

E. SIGNATURE AND RATIFICATION OF AGREEMENT

1. Contract, to be a bar, must be signed by all parties before petition is filed. This is so even if the parties conclude negotiations and put into effect some or all of the provisions.

2. Only where the contract itself makes ratification a condition of its effectiveness shall the contract be no bar until ratified.

F. SCHISM IN CONTRACTING UNION

1. Contract is not a bar where the Board finds the existence of a schism warranting an election. The Board will find such schism if the following conditions are met:

(a) Local disaffiliation action must have occurred "in the context of a basic intra-union conflict * * * over policy at the highest level of an international union * * * or within a federation, which results in a disruption of existing intra-union relationships." (Local action unrelated to such a conflict is insufficient.)

(b) Disaffiliation action will be recognized where taken "at an <u>open meeting</u> called, without regard to any constitutional restrictions but with <u>due</u>

notice to the member in the unit, for the purpose of taking disaffiliation action for reasons relating to the basic intra-union conflict."

(c) Disaffiliation action must be taken "within a reasonable period" following occurrence of the conflict, and such conflict must result "in confusion unstabilizing the bargaining relationship;" that is, the employer must be "confronted with two organizations each claiming with some show of right to be the organization previously chosen by the employees * * * ."

G. UNIT EXPANSION (Numbers, classifications)

1. Contract is no bar if executed before any employees have been hired.

2. Contract, which is executed prior to substantial increase in personnel, is a bar if:

(a) 30% of the employees on the payroll at the time of the hearing were employed when the contract was executed; and

(b) 50% of the job classifications in existence at the time of the hearing were in existence when the contract was executed.

H. CHANGE IN OWNERSHIP OF BUSINESS

1. Assumption of the operations by a purchaser who in good faith has not bound himself to assume the contract of the prior owner of the establishment removes the contract as a bar.

2. Where the new owner executes a new agreement with the incumbent union, the only change being in the termination date of the agreement, all other terms remaining the same, the Board does not view this as a premature extension.

NLRB'S "MODEL" UNION SECURITY CLAUSE

For the guidance of negotiators, the NLRB has drafted a "model" union security clause providing the maximum security permitted by the Act. The text of the clause follows:

> It shall be a condition of employment that all employees of the employer covered by this agreement who are members of the union in good standing on the effective date of this agreement shall remain members in good standing and those who are not members on the effective date of this agreement shall, on the thirtieth day or such longer period as the parties may specify following the effective date of this agreement, become and remain members in good standing in the union. It shall also be a condition of employment that all employees covered by this agreement and hired on or after its effective date shall, on the thirtieth day following the beginning of such employment or such longer period as the parties may specify become and remain members in good standing in the union.

Keystone Coat, Apron & Towel Supply Co.
121 NLRB NO. 125 (1959)

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UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

COMPLIANCE STATUS OF INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS, AND HELPERS, AFL-CIO, and LOCAL 609, INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS, AND HELPERS, AFL-CIO

ADMINISTRATIVE DETERMINATION OF COMPLIANCE STATUS

On April 14, 1958, Plant City Welding and Tank Company, an Employer in interest in certain proceedings pending before the Board, filed a petition with the Board for an administrative determination of the compliance status of International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, hereinafter referred to as the International, and Local 609, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, hereinafter referred to as the Local. An administrative investigation was thereafter conducted on behalf of the Board. Since the facts are not in substantial dispute, it would serve no useful purpose to order a hearing in this matter. The Board has considered the entire administrative record herein and hereby makes the following determination:

The International's compliance status

The Employer alleges that the International has failed to meet the requirements of Section 9 (f), (g), and (h) of the Act in five respects.

(1) The Company maintains that in violation of Section 9 (f) (B) (2) the International furnished financial statements to its members for the fiscal years 1947 through 1957 which did not contain all the information required by the Act and which were not copies of the statements filed with the Secretary of Labor.

The International admits that the published financial statements were not the complete reports filed with the Secretary of Labor but contends that this allegation should be rejected because (a) each of the Journals in which the annual "Summary of Funds" was published also contains a letter from the International President and International Secretary-Treasurer which states: "All members are hereby notified that every Financial Secretary is in possession of a detailed financial report

prepared and certified to by Certified Public Accountants. Any member desiring to examine these reports is at liberty to do so by requesting the Financial Secretary of your Local Union to provide a copy of same"; (b) the fund headings, according to the International, adequately show in themselves the sources of income and purposes of disbursements, and there is no statement of assets and liabilities, as such, because all assets shown consist of cash and investments, it has no liabilities except transitory insurance premiums payable and a few benefit claims receivable; and (c) in addition to the detailed financial report it has furnished to the Secretary of Labor each year a printed copy of the Journal showing the "Summary of Funds" distributed.

Under these circumstances, and particularly the fact that the exhibits accompanying the Employer's Motion clearly establish that the above letter did appear with each summary, we are satisfied that the International made available to its membership the financial data required by Section 9 (f) (B).[1/]

(2) The Company also contends that the International has failed to meet the requirements of the Act in that the copies of the financial statements were furnished to fewer than its total membership.

We are satisfied that the International has taken reasonable steps to reach as many members as possible, and therefore conclude that it has met the statutory requirement in this regard.[2/] We do not believe that a union can be expected to search out each and every member in order to deliver a copy of its financial report before it may qualify under Section 9 (f) and (g). To impose so strict a requirement would undoubtedly have the effect of nullifying the rights of unions to file petitions and charges under the Act and would prevent employees from having the opportunity to select a union to represent them, inasmuch as it is doubtful whether this standard could ever be met. We do not believe that Congress intended such a result.

(3) The Employer also takes the position that there was a lapse in the International's compliance in that its financial statement for the fiscal year 1957 was distributed several days after the expiration of the 90-day grace period granted when it filed a certificate of intent, and therefore, under the

1/ See Compliance Status of Cigar Makers International Union of America, AFL-CIO, 117 NLRB 856.
2/ Ibid.

Board's decision in Monsanto Chemical Company, 115 NLRB 702, all pending proceedings should have been dismissed, and that,

(4) the International's forms NLRB-1085 for the fiscal years 1953 through 1957 were executed and filed at times when the financial statement had not yet been distributed; therefore, they contained false statements and the Board should find, on the authority of Compliance Status of Plaster Tenders, Construction, General and Shipyard Laborers' Local Union #802, International Hod Carriers, Building and Common Laborers' Union of America, AFL, 111 NLRB 742, that the International is not in compliance with Section 9 (f) and (g).[3/]

Near the end of each of the fiscal years in question, the International filed a certificate of intent to renew compliance under Section 9 (f) and (g) and was granted a 90-day extension of time in which to do so. Since the fiscal year ends on June 30, the 90-day grace period expired September 28 each year. Sometime in September of each of the years under consideration, the International filed its form NLRB-1085 certifying that it had published its financial statement in its Journal which was distributed to its members. However, the actual publication was in the October issue of the Journal, which was not distributed until October 1 or shortly thereafter. It thus appears that the facts alleged by the Employer are accurate. Nevertheless, we do not believe that the findings advocated by the Employer are warranted under the circumstances here present.

During the investigation the International advised the Regional Office that it had delivered the financial reports to the printer for printing and mailing prior to the execution and filing of the form NLRB-1085 and before the expiration of the 90-day period. Moreover, we note that the International's past history clearly manifests an intent to achieve full compliance.[4/]

3/ Allegations 3 and 4 are discussed together, since they relate to the same facts.

4/ This situation is, therefore, unlike that in either Monsanto Chemical or Plaster Tenders. In the former case, there was a delay of 3 weeks during which the financial statement was in the hands of the union, but distribution was delayed until its next regular meeting, whereas in the instant situation the distribution was within the control of the printer and the delay amounted to only a few days. In the Plaster Tenders case, the union stated in its form NLRB-1085 that it had posted copies of its financial report at its headquarters and had announced at a regular meeting that copies thereof were ready for distribution but in fact it had done neither of these things at any time, whereas here the statements in the form NLRB-1085 were substantially accurate.

Accordingly, we reject these contentions of the Employer.

(5) The Company maintains that a number of individuals, although not designated in the International's constitution as officers, are nevertheless officers who should be required to file Section 9 (h) non-communist affidavits.

The International's constitution provides as follows, in Article III, headed "International Officers":

> Section 1. The International officers shall consist of an International President, International Secretary-Treasurer, Editor and Manager of the official Journal, and sixteen (16) International Vice Presidents . . .

The Employer contends that, in addition, the incumbents of the positions of President Emeritus, Trustee, International Representative, District Representative, Business Manager, Member of the Executive Council, "Delegate to A. F. of L.", and Delegate to the Trade and Labor Congress of Canada are officers. However, it is clear that these positions are not designated as offices by the constitution. Therefore, none of the incumbents is an officer of the International within the Board's "constitutional" test, which the United States Supreme Court has approved as a "reasonable, if indeed not a compelling construction of the statute."[5/]

Moreover, even if we were to apply the interpretation of the constitutional test adopted by some U. S. Courts of Appeals [6/] (i. e., "identification" in the constitution by virtue of description of duties, manner of selection, etc., associated with a person holding office), we would be compelled to reach the same conclusion. Thus, the President Emeritus and Business Manager are clearly not within that interpretation, since they are not even mentioned in the constitution, and there is complete silence as to their powers and duties as well as to those of Trustees, International Representatives, District Representatives, and Delegates. In an analogous situation the U. S. Court of Appeals for the Fifth Circuit has held[7/] that the incumbent of such a position is not an "officer". Furthermore, even if Executive Council

5/ N.L.R.B. v. Coca-Cola Bottling Co. of Louisville, Inc., 350 U.S. 264. And see Compliance Status of Cigar Makers, supra.

6/ See, e.g., Goodman Mfg. Co. v. N.L.R.B., 234 F. 2d 775 (CA 7), cert. den. 352 U.S. 872; and Shoreline Enterprises v. N.L.R.B., F. 2d (CA 5, January 14, 1959).

7/ Shoreline Enterprises v. N.L.R.B., supra.

Members were held to be officers under this interpretation, such Members also hold other international offices[8/] and have filed affidavits as the incumbents of such positions, thus satisfying the requirements of Section 9 (h).

The Local's compliance status

The allegations relating to the Local's compliance approximately parallel those set forth above but are different as to detail.

(1) The Company contends that the Local has failed to comply with Section 9 (f) and (g) in that the financial reports distributed by it for the fiscal years 1955, 1956, and 1957 were not sufficiently comprehensive because they did not contain all the necessary information and were not copies of the reports filed with the Secretary of Labor; they were not posted as set forth in the forms NLRB-1085 filed with the Board; and they were distributed to fewer than its total membership.

The Local's fiscal year ends December 31. Each year the Local has certified to the Board that copies of its financial report were distributed by "/posting/ a copy in a conspicuous place at the headquarters and meeting hall of the Local Union and /announcing/ at a regular meeting that copies were ready for distribution to all members."

With respect to the Local's compliance at the close of its fiscal year 1955, the Local admitted during this investigation that because of the peculiar circumstances at that time copies of the report were, in fact, not distributed, although the details thereof were discussed at a meeting, the report was posted during the course of the meeting, and the members approved the report. It is apparent that the steps taken with respect to this 1955 financial statement were insufficient to meet the requirements of the Act. Section 9 (f) (B) (2) provides for distribution and leaves the Board no discretion to accept anything less. Accordingly, we must conclude that the Local's compliance at the end of fiscal 1955 was insufficient and its compliance had lapsed during the calendar year 1956.

8/ The constitution provides that the Executive Council is to be composed of the International President and the 16 International Vice Presidents.

This is not true, however, with respect to the Local's conduct at the end of its fiscal years 1956 and 1957. The Local, at those times, announced at a regular meeting that copies of its financial statement would be available to the membership at the next meeting, made such copies available at that meeting to all members who wished them, and posted a copy thereof during the course of the meeting but removed the posted copy at the end of the meeting because the meeting hall is used by 16 other unions and the Local has no headquarters of its own. Under these circumstances, we are satisfied that the Local's compliance for the fiscal years 1956 and 1957 was sufficient to meet the requirements of the Act.

(2) The Company maintains that the Local was also out of compliance with Section 9 (f) and (g) in that it did not distribute its financial statement for the fiscal year 1957 until March 10, 1958, although this was within the 90-day grace period granted by the Board after the Local had filed a certificate of intent to renew its compliance, since the Board's action in granting such an extension "is contrary and in derogation to Section 9 (f) and (g), improper and beyond the authority of the NLRB" or "assuming, arguendo, that such action is within the authority of the NLRB, the NLRB has failed to properly promulgate, establish or authorize this policy, rule, or regulation."

We reject this position as without merit. We have previously held that the procedure for securing an extension of time to renew compliance is applicable in circumstances such as these,[9/] and have also had occasion more recently to reject this same contention by the instant Employer[10/] as well as by another employer.[11/]

(3) The Company further maintains that the positions of Chief Steward, Representative Steward, Sick Steward, and Member of Negotiating Committee, although not listed in the Union's constitution as officers, are nevertheless officers who should be required to file Section 9 (h) non-communist affidavits.

What we have said above with respect to the Employer's allegation concerning additional International officers is equally applicable to the

9/ Monsanto Chemical Company, supra.
10/ Plant City Welding and Tank Company, 118 NLRB 280, 283 (note 9).
11/ Technicolor New York Corporation, 118 NLRB 588, 589 (note 1).

instant contention. The Subordinate Lodge Constitution, in Article II, contains the following provision:

> Section 1. The officers of each Subordinate Lodge shall consist of a President, Vice President, Treasurer, Inspector, Inside Guard, Outside Guard, Recording Secretary, Financial Secretary, Corresponding Secretary, a Board of Trustees . . ., and a Business Manager where one is considered necessary . . .

This section of the constitution further provides that "stewards" are to be appointed, and "sick stewards" and "committeemen" may be elected or appointed as each lodge shall determine but are not to be considered officers. However, no duties are described for any of these positions. Accordingly, the incumbents clearly are not "officers" under the Board's "constitutional" test or under the interpretation thereof adopted by some of the U. S. Courts of Appeals.[12/]

IT IS THEREFORE ADMINISTRATIVELY DETERMINED that International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, is in compliance with Section 9 (f), (g), and (h) of the Act, and that Local 609, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, was not in compliance with Section 9 (f) (B) (2) and (g) of the Act during the calendar year 1956 but has been in compliance thereafter, and

IT IS HEREBY ORDERED that any letters of compliance issued to Local 609, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL-CIO, during the calendar year 1956 be, and they hereby are, declared null and void and without effect.

Dated, Washington, D. C.

Boyd Leedom, Chairman

Philip Ray Rodgers, Member

Stephen S. Bean, Member

Joseph Alton Jenkins, Member
NATIONAL LABOR RELATIONS BOARD

(SEAL)

12/ See footnote 6, supra.

JOHN H. FANNING, MEMBER, concurring in part and dissenting in part:

I concur in the majority's conclusion that Local 609 was not in compliance with Section 9 (f) (B) (2) of the Act during calendar year 1956 and that letters of compliance issued to that organization for that year are null and void.

I must dissent, however, from the majority's conclusion that the International itself was in compliance with the Statute.

Section 9 (f) (B) (2) requires that the processes of the Board shall be available only to those unions which furnish their members with "copies of the financial report" they are otherwise required to file with the Secretary of Labor. Similarly, the Board's Rules and Regulations provide that a complying labor organization must execute a declaration stating that it has furnished "to all its members copies of the financial report filed with the Department of Labor . . ." (Section 102.13). In its "Guide for Labor Organizations to the Filing Requirements of the Labor Management Relations Act, 1947" the Board states on page 6: "Section 9 (f) (B) (2) of the Act requires that you furnish to all the members of your organization copies of the financial report filed with the Department of Labor . . ." And, in further implementation of the Act, the Rules and Regulations, and the Guide, Form NLRB - 1085, "Distribution of Financial Report Certificate", among other things, contains the statement that the Secretary of Labor has accepted the financial report of the union and that "The union has furnished copies of that report to all its members . . ." The instructions on the reverse side of the Form, in pertinent part, require that "Copies furnished members must be copies of the report finally accepted by the Secretary of Labor." It appears abundantly clear that the Act and the Board's Rules and Regulations and outstanding instructions to unions preclude the Board from finding compliance with Section 9 (f) (B) (2) on the basis of the distribution of any financial statement other than the full report filed with and approved by the Secretary of Labor. No requirement of the Statute is more simply or clearly stated.

The facts set forth in the majority's opinion reveal that the International did not furnish its members with "copies" of the financial report submitted to the Department of Labor. Rather, it is admitted that the International merely published a "summary" of that report in its annual Journal, informing its members that they could secure a copy by requesting the Financial Secretary of the Local Union to provide one. This procedure was not, in my opinion, compliance with Section 9 (f) (B) (2). A copy is a copy. It is not an approximation, an abbreviation, or a summary. In concluding that the International made available to its membership the financial data required by Section 9 (f) (B) the majority relies particularly upon the letter which was published with the summary. This letter informed the members that a detailed financial report was in the possession of the financial secretaries and that "Any member desiring to examine these reports is at liberty to do so by requesting the Financial Secretary of your Local Union to provide a copy of same . . ." In effect the majority, while admitting that the complete report was not furnished the members, is, at the same time, stating that this procedure was tantamount to <u>furnishing</u> the membership the complete statement. It seems to me that this is precisely the kind of "furnishing" the Statute attempts to prevent. To furnish is to give--not to give <u>upon request</u>. Union members quite eager to examine a copy of their Union's financial report might be understandably reluctant to demand that the Financial Secretary provide them with one. Accordingly, I conclude that the International failed to comply with the filing requirements of the Act.

In reaching this conclusion, I am, of course, aware of the fact that for some years the practice has been prevalent among some unions to provide their members with a "summary" rather than a "copy" of their financial reports. Despite the specific language of the Statute and the Board's Rules and Regulations, the Board appears to have acquiesced in this practice in <u>Cigar Makers International Union of America, AFL-CIO,</u> cited above. I was not a member of the Board at the time that decision issued. I believe it was wrongly decided. Nevertheless, I recognize that this International and other labor organizations may have been misled into believing that the Board's rules did not require furnishing actual

copies of their financial reports to members. Except as indicated herein, the International has followed the requirements for compliance with Section 9 (f) and (g) of the Act. There is no evidence that it has been guilty of either neglect or an attempt to evade the requirements of the Act. If there is any blame to be assessed, it is not with this labor organization, but elsewhere, possibly with the Board's administration of the pertinent requirements of the Act.

The Board has in certain instances exercised its discretion in the application of the requirements of the pertinent section of the Act by granting certain periods of grace. (See, for example, Marshall and Bruce Company, 75 NLRB 90; Simplicity Pattern Company, 102 NLRB 1283, and Monsanto Chemical Company (John F. Queeny Plant), 115 NLRB 702.) I do not believe the Board should unstablize labor relations with the resultant disturbances and the future unwarranted expenditure of public funds in reprocessing these cases through the Board's procedures, by forthwith revoking certifications in a situation such as that presented here. Nor do I believe that, considering the equities involved and the effectuation of the purposes of the Act as a whole, we would be justified in revoking the Boilermakers' certification without permitting that organization an opportunity to comply with the Act. Accordingly, I would allow the International and other labor organizations similarly situated a reasonable grace period to take steps to comply with the literal requirement of Section 9 (f) (B) (2).

Dated, Washington, D. C.

John H. Fanning, Member

NATIONAL LABOR RELATIONS BOARD

NLRB-651
(5-58)

16

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

AGREEMENT FOR CONSENT ELECTION

Pursuant to a Petition duly filed under Section 9 of the National Labor Relations Act as amended, and subject to the approval of the Regional Director for the National Labor Relations Board (herein called the Regional Director), the undersigned parties hereby waive a hearing and AGREE AS FOLLOWS:

1. ELECTION.—An election by secret ballot shall be held under the supervision of the said Regional Director, among the employees of the undersigned Employer in the unit defined below, at the indicated time and place, to determine whether or not such employees desire to be represented for the purpose of collective bargaining by (one of) the undersigned labor organization(s). Said election shall be held in accordance with the National Labor Relations Act, the Board's Rules and Regulations, and the customary procedures and policies of the Board, provided that the determination of the Regional Director shall be final and binding upon any question, including questions as to the eligibility of voters, raised by any party hereto relating in any manner to the election, and provided further that rulings or determinations by the Regional Director in respect of any amendment of any certification resulting therefrom shall also be final.

2. ELIGIBLE VOTERS.—The eligible voters shall be those employees included within the Unit described below, who were employed during the payroll period indicated below, including employees who did not work during said payroll period because they were ill or on vacation or temporarily laid off, and employees in the military services of the United States who appear in person at the polls, but ***excluding*** any employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the election and any employees on strike who are not entitled to reinstatement. At a date fixed by the Regional Director, the Employer will furnish to the Regional Director an accurate list of all the eligible voters, together with a list of the employees, if any, specifically excluded from eligibility.

3. NOTICES OF ELECTION.—The Regional Director shall prepare a Notice of Election and supply copies to the parties describing the manner and conduct of the election to be held and incorporating therein a sample ballot. The Employer, upon the request of and at a time designated by the Regional Director, will post such Notice of Election at conspicuous and usual posting places easily accessible to the eligible voters.

4. OBSERVERS.—Each party hereto will be allowed to station an equal number of authorized observers, selected from among the nonsupervisory employees of the Employer, at the polling places during the election to assist in its conduct, to challenge the eligibility of voters, and to verify the tally.

5. TALLY OF BALLOTS.—As soon after the election as feasible, the votes shall be counted and tabulated by the Regional Director, or his agent or agents. Upon the conclusion of the counting, the Regional Director shall furnish a Tally of Ballots to each of the parties. When appropriate, the Regional Director shall issue to the parties a certification of representatives or certificate of results of election, as may be indicated.

6. OBJECTIONS, CHALLENGES, REPORTS THEREON.—Objections to the conduct of the election or conduct affecting the results of the election, or to a determination of representatives based on the results thereof, may be filed with the Regional Director within five days after issuance of the Tally of Ballots. Copies of such objections must be served upon the other parties at the time of filing with the Regional Director. The Regional Director shall investigate the matters contained in the objections and issue a report thereon. If objections are sustained, the Regional Director may in his report include an order voiding the results of the election and, in that event, shall be empowered to conduct a new election under the terms and provisions of this agreement at a date, time, and place to be determined by him. If the challenges are determinative of the results of the election, the Regional Director shall investigate the challenges and issue a report thereon. The method of investigation of objections and challenges, including the question whether a hearing should be held in connection therewith, shall be determined by the Regional Director, whose decision shall be final and binding.

7. RUN-OFF PROCEDURE.—In the event more than one labor organization is signatory to this agreement, and in the event that no choice on the ballot in the election receives a majority of the valid ballots cast, the Regional Director shall proceed in accordance with the Board's Rules and Regulations.

8. COMMERCE.—The Employer is engaged in commerce within the meaning of Section 2 (6) (7) of the National Labor Relations Act.

16—47629-6

9. WORDING ON THE BALLOT.—Where only one labor organization is signatory to this agreement, the name of the organization shall appear on the ballot and the choice shall be "Yes" or "No." In the event more than one labor organization is signatory to this agreement, the choices on the ballot will appear in the wording indicated below and in the order enumerated below, reading from left to right on the ballot:

First.

Second.

Third.

Fourth.

10. PAYROLL PERIOD FOR ELIGIBILITY.—

11. DATE, HOURS, AND PLACE OF ELECTION.—

12. THE APPROPRIATE COLLECTIVE BARGAINING UNIT.—

If Notice of Representation Hearing has been issued in this case, the approval of this agreement by the Regional Director shall constitute withdrawal of the Notice of Representation Hearing heretofore issued.

(Employer)

By ---
(Name and title)

Date executed ---

Recommended:

Field Examiner,
National Labor Relations Board.

Date approved ---

Regional Director,
National Labor Relations Board.

(Petitioner)

By ---
(Name and title)

(Name of organization)

By ---
(Name and title)

Case No. ---

GPO 868839

NLRB-652
(7-58)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

17

STIPULATION FOR CERTIFICATION UPON CONSENT ELECTION
(R Cases)

The undersigned labor organization(s) (herein called the union(s)) claim(s) to represent employees of the undersigned employer (herein called the employer), and the undersigned parties desire that the question concerning the representation of said employees which exists by virtue of said claim shall be resolved by an election by secret ballot. Therefore, the said parties, subject to the approval of the Regional Director for the National Labor Relations Board (herein called the Regional Director), HEREBY AGREE AND STIPULATE AS FOLLOWS:

1. SECRET BALLOT -- An election by secret ballot shall be conducted under the supervision of the Regional Director, among the employees in the Unit defined below, at the indicated time and place, to determine whether or not the employees desire to be represented by (one of) the Union(s). Said election shall be held in accordance with the National Labor Relations Act, the Board's Rules and Regulations, and the customary procedures and policies of the Board.

2. ELIGIBLE VOTERS -- The eligible voters shall be those employees included within the Unit described below, who were employed during the payroll period indicated below, including employees who did not work during said payroll period because they were ill or on vacation or temporarily laid off, and employees in the military services of the United States who appear in person at the polls, but *excluding* any employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the election and any employees on strike who are not entitled to reinstatement. At a date fixed by the Regional Director, the Employer will furnish to the Regional Director an accurate list of all the eligible voters, together with a list of the employees, if any, specifically excluded from eligibility.

3. NOTICES OF ELECTION -- The Regional Director shall prepare a Notice of Election and supply copies to the parties describing the manner and conduct of the election to be held and incorporating therein a sample ballot. The Employer, upon the request of and at a time designated by the Regional Director, will post such Notice of Election at conspicuous and usual posting places easily accessible to the eligible voters.

4. OBSERVERS -- Each party hereto will be allowed to station an equal number of authorized observers, selected from among the nonsupervisory employees of the Employer, at the polling places during the election to assist in its conduct, to challenge the eligibility of voters, and to verify the tally. As soon after the election as feasible, the votes shall be counted and tabulated by the Regional Director, or his agent or agents. Upon the conclusion of the counting, the Regional Director shall furnish a Tally of Ballots to each of the parties.

5. POST-ELECTION AND RUN-OFF PROCEDURE -- All procedure subsequent to the conclusion of counting ballots shall be in conformity with the Board's Rules and Regulations.

6. RECORD -- The record in this case shall be governed by the appropriate provisions of the Board's Rules and Regulations and shall include this stipulation. Hearing and notice thereof, Direction of Election, and the making of Findings of Fact and Conclusions of Law by the Board prior to the election are hereby expressly waived.

7. COMMERCE -- The Employer is engaged in commerce within the meaning of Section 2 (6) of the National Labor Relations Act, and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

(Insert commerce facts)

8. NAMES ON BALLOT -- In the event more than one labor organization is signatory to this agreement, the choices on the ballot will appear in the wording indicated below and in the order enumerated below, reading from left to right on the ballot:

First
Second
Third
Fourth

9. PAYROLL PERIOD FOR ELIGIBILITY--

10. DATE, HOURS, AND PLACE OF ELECTION--

11. THE APPROPRIATE COLLECTIVE BARGAINING UNIT--

If Notice of Representation Hearing has been issued in this case, the approval of this stipulation by the Regional Director shall constitute withdrawal of the Notice of Representation Hearing heretofore issued.

EMPLOYER	NAME OF ORGANIZATION
ADDRESS	ADDRESS
BY *(Name and Title)*	BY *(Name and Title)*
DATE EXECUTED	NAME OF ORGANIZATION
RECOMMENDED	
SIGNATURE	ADDRESS
	BY *(Name and Title)*
Field Examiner, National Labor Relations Board	NAME OF ORGANIZATION
APPROVED	
Signature	ADDRESS
Regional Director, National Labor Relations Board	BY *(Name and Title)*
Date	

Case No. _____

GPO 871010

Form NLRB-502
(8-55)

Form approved.
Budget Bureau No. 64-R002.9.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

PETITION

When this Petition is filed by a labor organization or by an individual or group acting in its behalf, the Petition will not be processed unless the labor organization and any national or international of which it is an affiliate or constituent unit have complied with section 9 (f), (g), and (h) of the National Labor Relations Act.

INSTRUCTIONS.—Submit an original and four (4) copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located.

If more space is required for any one item, attach additional sheets, numbering item accordingly.

SUBMISSION OF PROOF OF INTEREST.—Except when this Petition is filed by an employer under section 9 (c) (1) (B) of the act, there must be submitted with the Petition proof of interest in the form of dated authorization of membership application cards, or other documentary evidence signed by employees, together with an alphabetical list of their names.

DO NOT WRITE IN THIS SPACE
CASE NO.
DATE FILED
Compliance Status Checked By:

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority:

1. Purpose of this Petition (*Check only the one box which is appropriate*)

A. ☐ RC—CERTIFICATION OF REPRESENTATIVES (INDIVIDUAL, GROUP, LABOR ORGANIZATION).—A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner, and Petitioner desires to be certified as representative of the employees for purposes of collective bargaining, pursuant to section 9 (a) and (c) of the act.

B. ☐ RM—REPRESENTATION (EMPLOYER).—One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner as defined in section 9 (a) of the act.

C. ☐ RD—DECERTIFICATION.—A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative as defined in section 9 (a) of the act.

D. ☐ UD—WITHDRAWAL OF UNION SHOP AUTHORITY.—Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.

2. NAME OF EMPLOYER	EMPLOYER REPRESENTATIVE TO CONTACT	PHONE NO.

3. ADDRESS(ES) OF ESTABLISHMENT(S) INVOLVED (Street and number, city, zone, and State)

4a. TYPE OF ESTABLISHMENT (Factory, mine, wholesaler, etc.)

4b. IDENTIFY PRINCIPAL PRODUCT OR SERVICE

5. Description of Unit Involved (*If more space is needed, continue on another sheet*)

Included

Excluded

6a. NUMBER OF EMPLOYEES IN UNIT

6b. IS THIS PETITION SUPPORTED BY 30% OR MORE OF THE EMPLOYEES IN THE UNIT? ☐ YES ☐ NO

(*If you have checked box 1 A (RC) above, check and complete EITHER item 7a or 7b, whichever is applicable*)

7a. ☐ **Request for recognition as Bargaining Representative was made on** _____ (Month, day, year) **and Employer declined recognition on or about** _____ (Month, day, year) (*If no reply received, so state*)

7b. ☐ **Petitioner is currently recognized as Bargaining Representative and desires certification under the act.**

8. Recognized or Certified Bargaining Agent (*If there is none, so state*)

NAME	AFFILIATION
ADDRESS	DATE OF RECOGNITION OR CERTIFICATION

9. DATE OF EXPIRATION OF CURRENT CONTRACT, IF ANY (Show month, day, and year)	10. IF YOU HAVE CHECKED BOX 1 D (UD) ABOVE, SHOW HERE THE DATE OF EXECUTION OF AGREEMENT GRANTING UNION SHOP (month, day, and year)

11. Parties or Organizations Other Than Petitioner Which Have Claimed Recognition as Representatives, and Other Unions Interested in the Employees Described in Item 5 Above (*If none, so state*)

NAME	AFFILIATION	ADDRESS	DATE OF CLAIM (Required only if Petition is filed by Employer)

12. If you have checked box 1 A (RC) above, list locals or other affiliates of Petitioner having or soliciting members among the employees in the unit involved; or which will serve such employees in the event the Petitioner is certified as their representative (*If none, so state*)

I declare that I have read the above petition and that the statements therein are true to the best of my knowledge and belief.

_____
(Petitioner and affiliation, if any)

By _____ _____
(Signature of representative or person filing petition) (Title, if any)

Address _____ _____
(Street and number, city, zone, and State) (Telephone number)

WILLFULLY FALSE STATEMENT ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U. S. CODE, TITLE 18, SECTION 1001)

GPO 908533

BEST COPY AVAILABLE

Tax program 9¢/hour
food exemption

U. C. 5¢

What COPE fellows do

Voluntary

Gregory — (8)

UAW
Uniformity in response to L-G
All requests, queries, etc to Pres. office
To develop a uniform policy —

Law & Grievance Handling

Courts will intervene for unfair or discriminatory handling — or refusal to handle —

Is not in of union arbitrary —

When do you withdraw a case grievant
After evidence is in — perhaps 2nd step
with full shop committee — Test: would an impartial person say that not discriminatory

Member may be required to exhaust grievance procedure and his internal (union) remedies

Int'l union had approx 10 appeals of grievances at Const'l Convention — 3 or 4 reversed in favor of complainant —

Trouble USA

All of us own it

Anti-Trust Laws
Protect Pub from Bosses
Owners not Subject

Teamsters
Power to stop

Steel
Union has not hesitated to use its power
to stop Steel production

Power rest on ability to Compel
Wage increase is inflationary & use of Power
Employers are forced to take it (on face a strike)

Hoegang - Leg Dept (3)

although broached out as a generally proceeding in such case 15 years ago

Writs of Mandamus against lab org -

after rep. election upheld by NLRB

Incidental Problem:

If high seniority, may not only lose seniority but take lower level or harder work

How do you compensate for this?

Suppose you lose home, etc. — NLRB Aid? No!

If borderline take "unfair" through grievance procedure; Perhaps both procedure & NLRB

Dist. Ct. can enforce employer to go through procedure & to arbitration

Can enforce K in Court

Wild-cat in depts — Held both ways (on violence by mules)

Def.: "Employer

Corp., Assn. or any person

Acting directly or indirectly

So now under unfair name (Union), an individual ~~S~~ in the charge so you can also get an individual rather than just against Corp. (which can't go to jail)

Russell v. UAW.

Sup. Ct.

"You're a dirty scab" — union contended it was a unfair of NLRB

no physical damage

Ala. State Ct — $50,000

Sup. Ct. said this is State matter

Wagner Iron — ~~Subsidiary~~ Supplies to I-H

Case (Mike)

Old Case

General Counsel & Region have been slow to move

$300,000 involved — 1951 case

Raskin has case

Since then, recently, UAW won election there

Co. now filing charges about improper election —

Case Study

"Public Policy Delayed"

Should keep careful record of job seeking, finding, reasons for turn down and payment —

Gregory Work of Leg. Dept.

48 hours of election, no captive audience speech by Co or Union on Co. time —

Union P.A. outside of plant invalidated election "in effect a captive audience."

[Representation Cases not appealable — (Exceptions) few CCA's have taken cases if NLRB abuses discretion]

2) Unfair Labor practice proceeding
(may be appealed to courts — CCA after final order from board —)

NLRB not only on complaint: ind., Union, Employer.
Investigate — are there grounds for complaint
Time for an answer
Hearing (formal, sworn witnesses
Intermediate Report
Parties may settle or take appeal to NLRB —

NLRB — Decision
Can appeal through CCA
or Employer can seek a court for review

1955 — 64 walkouts on expiration foundry heat
discharged — Unfair labor charge filed
walkout of unsafe conditions is not a strike — NLRB used
decision to sell at point of settlement — No fixed liquid damages —
Union wants to attach (Bd. violated Disease Act cases) — to protect $60,000

if special proceedings refused — to pay, new hiring
NO-investigate — deal to his jobs

~~Labor~~ — Manda Cologgy — Legal Dept — Labor Law

UAW Cont of 1959 to see impact of L-G
Bold Type for Sections to conform
minor, technical, procedural

Main function — deal with NLRB

1) Representation Proceedings
Organizer gives authorization cards
Minimum of 30% can petition
Informal NLRB investigation

Consent election
Straight — if subsequent challenge for things that happen
Stipulation — matters reserved for interpretation

R.D" (?) Petition de certify Union

NYI UAW
50 - 50 Case — No No-Union Votes So no new off
NLRB Ruled : No Union

Contract Bar to petition by competing local or decertify
"What's length of K" — (can pick shorter time than K period — GM had 3 yr K, NLRB set 2 yrs from effective date, but 60 days prior to initial expiration or insulation period; [and 150 (?) days from effective date, 1½ insulation])
Have affected by multi-plant K.

Institute of Management and
Labor Relations — Labor Program
Rutgers University
The State University of New Jersey

New Brunswick, New Jersey
Telephone: CHarter 7-1766
Extensions: 379, 381 and 498

Labor Law
(A Course for Labor)

The purpose of this course is to give a brief survey of the history and scope of labor law generally and a more detailed understanding of the present basic federal labor law, the Labor Management Relations Act of 1947 (Taft-Hartley Law).

Session I. Meaning of the Term "Labor Law"

A. Broad scope of labor law

1. All legal principles designed to affect the welfare of employees

   a. Laws relating to health and safety of factory employees
   b. Workmen's compensation laws
   c. Laws prescribing hours of labor and minimum wages
   d. Unemployment insurance laws
   e. Old-age and survivor's insurance laws
   f. Common law of master and servant
   g. Legal principles of contract, tort, and equity applicable to employer-employee relationship
   h. Law of unincorporated associations as applied to trade unions or employee associations
   i. Laws relating to rights of employees to engage in collective labor action; rights of labor organizations; rights of employers; restrictions on or obligations of employers and labor organizations

Session II. History of Labor Laws

A. The Statute of Laborers
B. Common law doctrine of conspiracy as applied to labor combinations
C. Statutory conspiracy
D. Doctrine of illegal means as applied to labor combinations
E. Common law doctrine of restraint of trade as applied to labor combinations
F. Doctrine of Motive and of Purpose as applied to labor combinations
G. The Labor Injunction
H. The Sherman Act as applied to collective labor action
I. The Clayton Act as applied to collective labor action
J. Yellow Dog Contracts
K. Norris-LaGuardia Act
L. Railway Labor Act
M. National Industrial Recovery Act (Sec. 7a)
N. National Labor Relations Act (Wagner Act)
O. Fair Labor Standards Act (Wage and Hour Law)
P. State Labor Relations Acts; State Mediation Acts

Q. War-time labor regulation

1. National War Labor Board
2. National War Labor Disputes Act (Smith-Connally Act)

R. National Labor Relations Act as amended (Labor-Management Relations Act of 1947 [Taft-Hartley Act])

S. Wage Stabilization Board; Salary Stabilization Board

Session III. Analysis of Labor-Management Relations Act (Taft-Hartley Act)

A. Comparison of National Labor Relations Act (Wagner Act) and Labor Management Relations Act (Taft-Hartley Act)

B. Definitions in Labor Management Relations Act (Taft-Hartley Act)

1. Employer
2. Employee
3. Labor Organization
4. "Commerce" and "affecting commerce"
5. Supervisor
6. Professional employee
7. Agent

C. Administration of the Labor-Management Relations Act

1. The National Labor Relations Board
2. The General Counsel
3. Regional offices

D. Substantive provisions of the Labor-Management Relations Act

1. Rights of employees (Sec. 7)

Session IV. Analysis of Labor-Management Relations Act (continued)

A. Substantive provisions of the Labor-Management Relations Act

1. Rights of employees (Sec. 7)
2. Rights of employers (Sec. 8c)
3. Filing requirements for labor organizations
   a. Constitution, by-laws, financial report
   b. Non-communist affidavits
4. Representatives and elections
   a. Exclusive representation
   b. Appropriate unit
      1) Types of units
   c. Individual rights on grievance presentation
   d. Petition for certification as exclusive bargaining representative
   e. Petition to decertify the certified or recognized bargaining agent
   f. Petition by employer
   g. Petition to revoke union shop contract authorization
   h. The 12-month rule

i. Processing of petitions
   1) Consent elections
   2) Hearings
   3) Board directed elections
   4) Eligibility of voters
   5) Certification
   6) Dismissal of petitions

Session V. Analysis of Labor-Management Relations Act (continued)

A. Substantive provisions of the Labor-Management Relations Act

1. Unfair labor practices for employers
   a. Interference, restraint, or coericion
   b. Domination or interference with formation or administration or labor organization
   c. Discrimination in regard to employment
   d. Refusal to bargain collectively with collective bargaining agent
2. Unfair labor practices for labor organizations
   a. Restraint or coercion
   b. Causing or attempting to cause an employer to discriminate
   c. Refusal to bargain collectively with an employer
   d. Secondary boycotts
   e. Jurisdictional disputes
   f. Excessive or discriminatory initiation fees
   g. Featherbedding

Session VI. Analysis of Labor-Management Relations Act (continued)

A. Substantive provisions of the Labor-Management Relations Act

1. Prevention of unfair labor practices

B. Title II of Labor-Management Relations Act

1. Federal Mediation and Conciliation Service
2. National Emergencies

C. Title III of Labor-Management Relations Act

1. Suits by and against labor organization
2. Restrictions on payments to employee representatives

D. Possible Changes or Amendments to Labor-Management Relations Act in 1953

PUBLIC AFFAIRS INSTITUTE

312 PENNSYLVANIA AVENUE S. E. • WASHINGTON 3, D. C. • PHONE LINCOLN 4-8746

TO THE READERS OF:

LABOR ACT UPSIDE DOWN

NLRB: Now An Employer Agency

by

Joseph E. Finley

When the study was in galley, a copy was made available to Mr. Philip Ray Rodgers for his comment on the part dealing with his record, which had been included as illustrative of the way a board member acts. This was done because, as the study says, "Board members are human beings, like the rest of us, their decisions often reflect the background and ideas they possess."

While the NLRB was set up by congressional action to protect and further the rights of labor to organize and bargain collectively, whenever a board member consistently votes against the law in the truly controversial cases coming before the Board, we believe this merits attention and explanation. The author of the study stated this view and presented his evidence.

Then Mr. Rodgers took exception to that statement in a reply presented to and on file with the Senate Labor and Public Welfare Committee, a copy of which was made available to Mr. Finley. At my suggestion, he reviewed that reply, and made his rejoinder, which is attached here for whatever value it may have for you. Unfortunately, the Rodgers statement is not our possession, but may be published by the Committee, or can be seen at the Committee office in the United States Senate by those interested in judging for themselves the merits of the two positions taken.

Dewey Anderson
Executive Director

Joseph E. Finley's rejoinder to Mr. Philip Ray Rodgers' Statement

Filed with the Senate Labor and Public Welfare Committee, June 30, 1958.

One of the important points made in "Labor Act Upside Down," is that Member Philip Ray Rodgers of the NLRB has shown an outstanding predilection for the interests of management over the past three years. Member Rodgers was given a galley proof of this article and filed a written defense of his record with the Senate Labor Committee. Several factors stand out which require comment, but the inescapable conclusion is that Member Rodgers, no more than Macbeth's wife, can erase the spot of his promanagement rulings.

1. Mr. Rodgers' principal complaint about the analysis of his voting record was that it was "fraught with monumental omissions," and that "the purported thesis falls, both as to scholarship and accuracy, due to this vast array of incongruous and wholly inexplicable omissions."

To cure these "monumental omissions," Mr. Rodgers indulged in a "numbers game" that could deceive only the uninformed or the unaware. Mr. Rodgers wants to add to the four proemployee decisions cited in the Appendix of the study "Labor Act Upside Down" some 3,676 cases in which he participated in 1955, 1956, and 1957 wherein elections were directed or unfair labor practice orders were issued which allegedly benefited employees. This, he would have us believe, demonstrates that if he voted in the interests of management 160 times, he voted proemployee some 3,680 times, therefore proving his overwhelming devotion to the interests of working people.

This kind of a defense can only injure Mr. Rodgers in the eyes of anyone who has even the slightest knowledge of NLRB practice and procedures. The great mass of cases coming before the Board are of the purest routine, requiring the exercise of little judgment, and usually producing unanimous views among the Board members. Therefore, if Mr. Rodgers is serious in his desire to add these cases to his record, then indeed he must be quite anxious to obscure the implications of the devastating effect of his 98 per cent promanagement vote in *critical* cases.

As is carefully pointed out, the cases selected for study were only those cases where there was a clear conflict between the interests of labor and the interests of management. It is in these cases where the real policy of the NLRB is made. Further, the study was restricted to those cases where there were two points of view among Board members. For example, if the Board voted unanimously, no matter how anti-labor such a vote might be considered, one could not find fault with Mr. Rodgers if all his colleagues shared his views. It is believed that the method of case selection for analysis is not only the fairest one possible, but by all means the best indicator of the true disposition of Mr. Rodgers.

2. The claim of "monumental omissions," is, of course, a two-edged sword. Mr. Rodgers omitted comment on the undisputed fact that since he came to the NLRB, the Board has reversed numerous past precedents favorable to labor, and substituted therefor decisions favorable to management, but has not reversed a single promanagement ruling in favor of a new interpretation helpful to labor! This fact alone is enough to stamp the present NLRB as promanagement.

Mr. Rodgers also omitted comment on the serious charge that the present NLRB is unwrapping the labor injunction for use against unions. The author sincerely hopes he is wrong on this point, but there is too much evidence to the contrary.

Thirdly, and most important of all his omissions, was a total failure to join issue on the principal

points made in the study. It becomes painfully difficult to answer these points when a man has voted in 1957 in 45 critical cases unanimously on the side of management. He also could not defend some of the views he has expressed, such as his willingness in *Bata Shoe Company* to approve employer deceit which was "within the realm of possibility;" such as his demand in *National Biscuit Co.* that a union must disprove its guilt; such as his upholding employer tactics in *Peoples Drug Stores* as "one of the most significant aspects of the law." He cannot show from his decisions, in any form whatever, the same concern for employee interests that he has consistently shown for management interests. These are simply unanswerable, and so Mr. Rodgers ignores them.

3. Mr. Rodgers, in defense of his record, turned to an analysis of how his opinions or rulings have fared upon judicial review. Of the cases cited in the Appendix where Rodgers voted with the majority against labor, where decisions were reached in the Courts of Appeals, forty per cent of these antilabor rulings were reversed. He could hardly be proud of such a figure. Mr. Rodgers, however, would count in his favor those cases which were not appealed for one reason or another, which is again a stacking of the "numbers," since there are many unknown reasons why cases are not appealed to the courts. For example, in at least two of the cases cited, this attorney, although not participating in the trial of the cases in any way, made the ultimate decision not to appeal. This decision was made, not out of any respect for Mr. Rodgers' side of the controversy, but because the labor problems had long ago been settled and the time and expense of taking an appeal were not justified in the circumstances.

Where Rodgers had dissented from NLRB prolabor rulings, he points out that nine out of sixteen of his opinions were affirmed in the courts. We are happy to concede at least one valid point to Mr. Rodgers. However, it does not require straining of argumentative points to remark that many of the judges who sit on the various Courts of Appeals, and especially so in the south, are not overwhelmingly friendly toward the interests of unions.

Mr. Rodgers also points with pride to how his opinions have fared when they reached the United States Supreme Court. Some of the decisions favorable to unions which were approved by the Supreme Court were rendered in Mr. Rodgers' first year on the Board, when his record appears to be somewhat more reasonable than in the last three, but in those cases, there was much earlier Board precedent to support his position. In the recent hot cargo cases, his stringent anti-labor position was, of course, soundly rejected, even though he attempts to mislabel the Supreme Court ruling as accepting "the substance of my position," which is simply not so.

In any event, however, while it is certainly fair to consider how NLRB decisions have been treated in the Courts of Appeals and in the Supreme Court, the more exact test of whether a Board member is biased toward either labor or management must come from that member's votes in cases decided by the NLRB. The major reason for this is aptly stated by the Supreme Court in the recent decision of *NLRB v. Steelworkers,* June 30, 1958, where the Court declined to reject the Board's position on a particular legal question, stating: "For us to lay down such a rule of law would show indifference to the responsibilities imposed by the Act primarily on the Board to appraise carefully the interests of both sides of any labor-management controversy in the diverse circumstances of particular cases and in light of the Board's special understanding of these industrial situations." In other words, once the NLRB has decided a legal question, the courts will give that ruling great weight and will not upset it unless the law appears strongly to the contrary. Thus, in the ultimate analysis, one must turn back to the Board votes, and they show Rodgers 98 per cent for management in critical cases. This indisputable fact is the condemnation of Mr. Rodgers.

4. In conclusion, the charge against Mr. Rodgers that he is promanagement and antilabor remains more substantial than ever. By his failure to join issue in the principal areas under discussion, by his attempt to resort to a loading-on of insignificant routine cases to bolster his disastrous record, by his inability to challenge the comparison of his attitudes where the rights of management and the rights of employees are involved, he has given greater validity to the indictment.

We can only hope that an analysis such as is presented in my study "Labor Act Upside Down" will bring home to Mr. Rodgers and his colleagues the necessity of paying more attention to the language and intent of the law and less to the rights of employers which they consider more compelling than the rights of employees for which the law was primarily written.

JOSEPH E. FINLEY

COMPARISON BETWEEN

WAGNER ACT	and TAFT-HARTLEY ACT
ADMINISTRATION	
National Labor Relations Board of 3.	National Labor Relations Board of 5.
Duty to investigate and determine representation questions; and to investigate and prevent unfair labor practices.	Same.
Little detailed prescription as to methods of operation. Board came under general rules of Administrative Procedures Act, providing for unified administration.	Detailed prescriptions as to method of operation; powers of NLRB limited; divided administration: General Counsel, independent of authority of Board, in charge of investigation of charges and issuance of complaints, and their prosecution before the Board. Review section replaced by legal assistants to individual Board members. No trial examiner's report to be reviewed except by Board member or his legal assistant. Rules as to evidence. Certain rules of decision specified.
Orders in unfair labor practice cases enforceable and reviewable by Circuit Court of Appeals.	Same, but scope of review possible broadened by language as to "substantial evidence on the record considered as a whole".
No power to obtain injunctions in advance of Board's order.	Injunction may be sought when complaint issued. Petition for injunction mandatory (against union) in cases involving complaints of unlawful strikes or boycotts.
NLRB free to make arrangements with state boards, allowing them to handle certain types of cases.	NLRB not free to cede jurisdiction to state agencies unless state law consistent with national law.
RIGHTS OF EMPLOYEES	
Right to self-organization, to form, join or assist labor organization, bargain collectively through representatives of own choosing, engage in other concerted activities, for purpose of bargaining or other mutual aid or protection.	Same, except that employees shall also have the right to refrain from any or all such activities except as may be affected by a legal union security agreement.

UNFAIR LABOR PRACTICES OF EMPLOYERS

Interference, restraint or coercion.	Same.
Domination, interference or support of a labor organization.	Same, except that same rules of decision are to apply whether union is affiliated or unaffiliated.
Discrimination to encourage or discourage membership in a labor organization - except under a valid union security agreement.	Same, except (1) any closed shop agreement is illegal; (2) discrimination under a valid union security agreement may not be justified if membership in not available on same terms as to others, or if membership was denied for reasons other than failure to tender dues.
Discrimination for filing charges or testifying under the Act.	Same.
Refusal to bargain.	Same, except that obligation is limited in effect by various other provisions of the Act.
	Other provisions affecting findings of unfair labor practices are: "Free speech" clause: expression of any view, arguments or opinion not to constitute or be evidence of unfair labor practice unless contains threat of reprisal or promise of benefit. Definition of collective bargaining, requiring 60-day notice of change or termination. Employee striking during 60-day period loses protection of the Act and may be discharged. Nothing in Act to prohibit discharge of worker for cause (as it effects organizing situations). Unions may not file unfair labor practice charges unless thay have filed financial and other data required and their officers have filed non-communist affidavits. Six-month statute of limitations.

UNFAIR LABOR PRACTICES OF UNIONS

None, but NLRB decisions imposed a number of restraints on unions: Union coercion of employees could invalidate election.	Restraint or coercion of employees, or employer in choice of his representative.
Discrimination for dual unionism limited.	Discrimination or causing employer to discriminate (except as modified by valid union security agreement).
Union "refusal to bargain" considered in several cases of refusal to bargain charges made against employers.	Refusal to bargain.
NLRB dealt with some jurisdictional disputes. Elections settled many. Union coercion against a certified union was held no defense for employer against charge of refusal to bargain or dis-crimination.	Boycotts, broadly defined, including strikes and boycotts in jurisdictional disputes.
	Excessive initiation fees under union security agreements.
	Featherbedding - causing payments in nature of exaction for services not performed.

REPRESENTATION DISPUTES

Majority rule, with right of individuals to represent grievances.	Same, except right of individual adjustment of grievances, so long as not inconsistent with contract, and right of bargaining representative to be present.
Bargaining unit decided by NLRB.	Same, but several restrictions on discretion of NLRB: No units of supervisors. No inclusion of professionals in other units unless they so vote. No inclusion of guards in unit with others, or unit of guards if union includes or is affiliated with others. No denial of craft unit on grounds of prior Board determination. Extent of organization not to be controlling.

(continued)

Conditions for petitions and elections within descretion of NLRB: "One-year" rule in general. Board permitted petition by employer faced by conflicting claims of two unions.	Same, except for limitations on discretion of NLRB: One election in year. Employer may petition upon a request for recognition by any union. No pre-hearing election. Rules for run-off elections. Strikers who are not entitled to reinstatement ("economic" as against "unfair labor practice" strikers) not eligible to vote. Decertification elections, on petition of 30 percent of employees.

LIMITATIONS UPON ACCESS OF UNIONS TO BOARD TO FILE PETITIONS & CHARGES

	Union must have filed Constitution and financial report and other information with Secretary of Labor. Officers of union must file non-communist affidavit with NLRB.

UNION SECURITY AGREEMENTS

Permitted when made with union representing majority, and not the result of any unfair labor practice.	Closed shop outlawed, union shop and maintenance of membership OK. Discharge for non-membership under such agreements limited to cases of refusal to tender dues.
State prohibitions of closed shop permitted to stand.	More restrictive state laws permitted to stand in respect to any and all forms of union security. Check-off of union dues unlawful except on individual written assignments, not irrevocable for more than one year.

STRIKES, BOYCOTTS, PICKETING

Under Norris-LaGuardia Act, only fraud or violence could be enjoined.	
Limited in effect by NLRB decisions permitting discharge for violation of contract or for violence and other misbehavior in strikes.	Same.

(continued)

No specific limitations in Wagner Act.	Certain types and methods are unfair labor practices, and subject to injunction and suit for damages: Restraint or coercion of employees. Sympathetic strikes or boycotts. Strikes or boycotts against non-union products or producers. Strikes or boycotts to force recognition by any other employer unless union is certified. Strikes or boycotts against certified union.
Coercion against certified union no defense to employer's violation of Act; courts threatened to find such union in contempt of court order to employer.	
NLRB elections solved many jurisdictional disputes.	Jurisdictional strikes; decision by NLRB in absence of voluntary adjustment.

NATIONAL EMERGENCY STRIKES

No provision in Wagner Act. U. S. Conciliation Service could intervene.	Presidential appointment of board of inquiry; 80-day injunction; vote on "final offer" of each employer; discharge of injunction; report of President to Congress with any recommendations.

STRIKES BY GOVERNMENT EMPLOYEES

	Unlawful; subject to penalty of immediate discharge and loss of civil service status, and not eligible for re-employment by government for three years.

INJUNCTIONS AND DAMAGE SUITS

Norris-LaGuardia Act limited injunctions against unions; permitted them, with procedural safeguards, only in case of fraud or violence.	Discretionary petition for injunctions against employers or unions upon issuance of complaint of unfair labor practices.
No provisions for injunctions in Wagner Act except for temporary injunctions against employers during proceedings for enforcement of Board orders in circuit courts.	Mandatory petition for injunctions only against unions upon issuance of complaints of unlawful strikes or boycotts.
	Injunctions in national emergency strikes.

(continued)

	Damage suits in federal courts for violation of contract or for unlawful strike or boycott, permitted without respect to amount in controversy or citizenship.
Under Norris-LaGuardia, union is held responsible only for acts actually participated in or authorized or ratified.	Union responsible for acts of its agents whether or not the specific acts were actually authorized or ratified; "Agency" broadly defined.

WELFARE FUNDS

	Payments by employers to such union funds unlawful except under specified conditions: for purposes specified by law. employers represented in administration of trust fund. pension funds segregated in separate trust.

CONCILIATION AND MEDIATION

Not within scope of Wagner Act; U. S. Conciliation Service in Department of Labor.	Independent Federal Mediation and Conciliation Service. Duty of unions and employers to give 30-day notice to the Service when agreement not reached in dispute over termination or modification of contract. Secret ballot on employer's last offer as one voluntary means of settlement.

POLITICAL CONTRIBUTIONS AND EXPENDITURES

	Prohibits any corporation or labor organization from making any contribution or expenditure in connection with national election or primary.

REMEDIES AND PENALTIES

Cease and desist orders by NLRB against employers, enforced by courts.	Same, against employers and unions.
Dis-establishment of company-dominated unions.	Same.
Withdrawal of recognition from illegally recognized unions.	Same.

(continued)

Reinstatement and back pay for victims of illegal discrimination.	Same, and back pay from union for victims of discrimination caused by unions.
Orders to bargain.	Same, against employers and unions.
Posting of notice of compliance.	Same, by employers and unions.
Contempt action for violation of court orders enforcing NLRB orders.	Same, against employers and unions.
	Injunction in district court against employer or union when complaint issued, at discretion of NLRB General Counsel. Contempt action for violation.
	Mandatory injunction against union in district court when complaint is issued of illegal strike or boycott.
	80-day injunction in national emergency strike cases. Contempt action for violation.
	Damage suits in federal courts for violation of contract.
	Damage suits in federal courts for illegal strikes or boycotts.
Fine or imprisonment for willful interference with NLRB agent.	Same.
	Fine or imprisonment for: illegal payments to employee representatives; falsification of non-communist affidavit; political contribution or expenditure of union or corporation in national election.
	Loss of employee rights: for striking before end of 60-day notice period; for strikes by federal employees; "economic" strikers.
	Loss of right to file petition or charges with NLRB for union which fail to file required documents and non-communist affidavits.

1-54

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

In the Matter of the Petition of G. S. HAGEN For a Referendum on the Question of an All-Union Agreement Between THE WESTERN UNION TELEGRAPH COMPANY, Employer and THE COMMERCIAL TELEGRAPHERS' UNION, A.F.L., Union	Case III No. 4602 R-1987 Decision No. 3661

Appearances:

Mr. G. S. Hagen, Petitioner, appearing for himself.
Mr. Robert A. Levett, Assistant General Attorney, and Mr. George J. Marcipan, Division Manager Employee Relations, for The Western Union Telegraph Company.
Mr. Samuel H. Jaffee, Attorney, for The Commercial Telegraphers' Union, A.F.L.

DIRECTION OF REFERENDUM

On November 12, 1952, G.S. Hagen, an employe of The Western Union Telegraph Company at Antigo, Wisconsin, filed a petition with this Board, pursuant to the provisions of Section 111.06 (1) (c) of the Wisconsin Statutes, requesting that a new referendum be conducted among the employes of said Employer on the ground that a change had occurred in the attitude of the employes concerned toward the union security agreement in effect between The Western Union Telegraph Company and the Commercial Telegraphers' Union, affiliated with the American Federation of Labor, which agreement had been authorized in a prior referendum conducted by the Board on February 5, 1952; and a hearing on such petition having been conducted at the Board's office at Madison, Wisconsin, on December 10, 1952, all members of the Board being present; and the Board having considered the record and arguments of the parties, and having concluded that there is reasonable ground for believing that since the prior referendum a change has occurred in the attitude of the employes of The Western Union Telegraph Company toward the present union security agreement in effect between the Employer and the Union;

NOW, THEREFORE, it is

DIRECTED

That a referendum by secret ballot be conducted under the direction of the Wisconsin Employment Relations Board within sixty (60) days from the date of this Directive, among all Wisconsin employes of the Western Union Telegraph Company, who are included in the collective bargaining unit defined by the National Labor Relations Board in Case No. 17-R-742, and who were employed by the Employer on January 11, 1954, except such employes as may prior to the referendum quit their employment or be discharged for cause, for the purpose of determining whether or not the required number of such employes favor an "All-Union Agreement" between The Western Union Telegraph Company and the Commercial Telegraphers' Union, affiliated with the American Federation of Labor.

Given under our hands and seal at the City of Madison, Wisconsin, this 11th day of January, 1954.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By L. E. Gooding /s/
L. E. Gooding, Chairman

J. E. Fitzgibbon /s/
J. E. Fitzgibbon, Commissioner

(SEAL)

Morris Slavney /s/
Morris Slavney, Commissioner

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

Case III
No. 4602 R-1987
Decision No. 3661

MEMORANDUM ACCOMPANYING DIRECTION OF REFERENDUM

On February 5, 1952, this Board conducted a mail ballot referendum among the Wisconsin employes of the Employer. On February 11, 1952, the Board issued its certification reflecting that out of an eligible list of 475 voters, 391 cast ballots, that 335 employes favored an "All-Union Agreement" with the Union, and that 56 employes were opposed. On November 10, 1952, George S. Hagen, an employe at the Antigo, Wisconsin office of the Employer and a member of Local 206 of the Union, filed a petition with this Board, requesting that a new referendum be conducted on the ground that since the prior referendum a change of attitude among the employes had occurred concerning the union security agreement. The petition as filed set forth that the grounds, therefore, were based on Sections 111.05, 111.05 (4), 111.06 (1) (c), 111.07, 111.08 and 343.682 of the Wisconsin Statutes. The Board has concluded from the facts contained in the petition and from the record presented at the hearing that the proceeding constituted a petition for a new referendum as outlined in Section 111.06 (1) (c) of the Wisconsin Statutes, and that it did not constitute a proceeding for the annulment of an existing union security agreement. The pertinent provisions of the Statute are quoted below:

> ". . . . . .Such authorization of an all-union agreement shall be deemed to continue thereafter, subject to the right of either party to the all-union agreement to request the board in writing to conduct a new referendum on the subject. Upon receipt of such request by either party to the agreement, the Board shall determine whether there is reasonable ground to believe that there exists a change in the attitude of the employes concerned toward the all-union agreement since the prior referendum and upon so finding the board shall conduct a new referendum. If the continuance of the all-union agreement is supported on any such referendum by a vote at least equal to that hereinabove provided for its initial authorization, it may be continued in force and effect thereafter, subject to the right to request a further vote by the procedure hereinabove set forth. If the continuance of the all-union agreement is not thus supported on any such referendum, it shall be deemed terminated at the termination of the contract of which it is then a part or at the end of one year from the date of the announcement by the board of the result of the referendum which ever proves to be the earlier date. The board shall declare any such all-union agreement terminated whenever it finds that the labor organization involved has unreasonably refused to receive as a member any employe of such employer, and each such all-union agreement shall be made subject to this duty of the board. Any person interested may come before the board as provided in section 111.07 and ask the performance of this duty....."

At the hearing, the following facts were disclosed:

1. That a general strike of Western Union employes occurred on April 31, 1952, and was terminated May 26, 1952.

2. That during the strike, a number of employes covered by the collective bargaining agreement continued their employment.

3. That the agreement negotiated by the parties following the settlement of the strike changed the previous union security clause from a union shop provision to a combination of a maintenance of membership and agency shop agreement. The union security provision as negotiated by the parties is as follows:

"3.07 (a) All existing employees who are members of the Union will retain such membership as a condition of continued employment except that they shall have a 10-day escape period to begin upon the expiration of the 7 days following the termination of the strike.

"(b) All existing employees who are not members of the Union will become members at the end of 30 days from the date hereof and remain members as a condition of continued employment unless they signify their intention not to become members within the period of time referred to in (a) above.

"(c) Those employees mentioned in subdivisions (a) and (b) above who have used the escape clause therin, and new or re-engaged employees who have not

become members of the Union within thirty days of hiring or reemployment, shall, as a condition of employment or continued employment, pay or tender to the Union the periodic dues uniformly required as a condition of acquiring or retaining membership, or the equivalent thereof, with the understanding that the amounts thus payable by such employees shall not exceed the amount of the dues presently charged by the applicable Union local.

"(d) The intent not to join as above provided shall, to be effective, be evidenced by written notification received by the Union with a copy to the Company both at the local level.

"(e) The Company will, on demand of the Union, discharge any employee who has failed to tender the periodic dues and the initiation fee uniformly required as a condition of acquiring or retaining membership, or any employee who, not having become or remained a member, has failed to pay the periodic dues referred to above or the equivalent thereof.

"(f) If any provisions of law prevent the effectuation of any part of the Union Security clause, the parties will give consideration to making revisions herein to effect its general purpose and to conform with the appropriate provisions of applicable law."

4. That some twenty-seven employes availed themselves of the escape period provided in the Strike Settlement Agreement and terminated their membership in the union.

5. That in the Strike Settlement Agreement between the parties, a no-discrimination clause was also negotiated, which reads as follows:

   "14. Neither the Union nor the Company will find or discriminate against any employee who exercised his right either to work or to strike.

6. That shortly after the termination of the strike, Local 206 caused to be circulated among the employes of the employer in Wisconsin and upper Michigan, a list of employes who worked during the strike. The name of the petitioner headed a list of some one-hundred and thirty employes whom the union alleged worked during the strike for the employer.

7. That in October, 1952, Local 206 published in its monthly periodical, The Beacon, a copy of an Order issued by the National Executive Board of the Commercial Telegraphers' Union, known as Board Order No. 22, which reads in part as follows:

"That all members of the Western Union Division who worked for the Western Union Telegraph Company during the legally-called strike, between April 3rd and May 25th, be denied all active participation in the affairs of their respective locals, and the Western Union Division as associate members. The definition of associate membership is to be without the right to vote on any matter pertaining to the election of officers, By-laws, and all legislative matters relating to the Locals and the Western Union Division, and further be denied the right to receive the periodicals of the International, Western Union Division and Locals.

"Further moved that the action of the Board in relation to those working during the strike be made mandatory on all Locals within the Western Union Division."

8. That A.H. Cyr, Financial Secretary, of Local 206, testified that Local 206 had, on its rolls at the time of the hearing, some fifty or sixty employes classified as associate members.

9. That Hagen met and discussed the effect of Board Order No. 22 and other directives of Local 206 with fellow employes, and after concluding that a number of other employes were dissatisfied with the present union security provisions of the collective bargaining agreement in effect between the Employer and the Union, he filed this petition.

10. That a number of new employes were hired by the Employer during and since the strike who have not become members of the Union.

The union contends that the Wisconsin Employment Relations Board does not have jurisdiction over the subject matter because of the interstate nature of the employer's business. This Board is of the opinion that the Western Union Telegraph Company

is engaged in interstate commerce, but it is, nevertheless, satisfied that it has jurisdiction based on the provisions of Sections 14b of the Labor Management Relations Act, as amended, and on the decision of the United States Supreme Court in the case of the Algoma Plywood and Veneer Company. (336 U.S. 301)

Union counsel asserts that Hagen is not the proper petitioner since he is not a party to the collective bargaining agreement, which counsel claims is a prerequisite to the right to file a petition pursuant to the Statute. An examination of the section previously cited indicates that "either party to the all-union agreement" may request the Board to conduct a new referendum. This Board has consistently followed the policy that a member of a collective bargaining unit for whose benefit a collective bargaining agreement is made, may commence an action before this Board to secure or protect his rights thereunder even though the employe is not a signator to the agreement. We are of the opinion that the same policy can be applied to the filing of a petition for a new referendum by an employe covered by a collective bargaining agreement containing a union security provision. If it were not possible for the individual employe to file a petition, so-called honeymoon contracts might be encouraged, whereby an employer and a union could conspire to maintain an all-union agreement against the wishes of the majority of the employes.

Union counsel further contends that even though Hagen is a proper petitioner, he did not file a petition, but has sought an annulment of the existing union security agreement, and not a new referendum. The Board has concluded that regardless of the form of the action sought by Hagen, the proceeding is in fact a petition for a new referendum. The record clearly indicates a change in attitude of the employes toward the union security agreement.

Union counsel further contends that an all-union agreement is not involved in this proceeding, since the union security provision of the collective bargaining agreement between the parties is an "agency shop", which lacks the compulsory provisions of an all-union agreement. The agreement between the parties requires membership in the union of some of the employes as a condition of employment. The statutory definition of an all-union agreement is as follows:

> "111.02 (9) The term"all-union agreement" shall mean an agreement between an employer and the representative of his employes in a collective bargaining unit whereby all or any of the employes in such unit are required to be members of a single labor organization."

It should be noted that the definition uses the phrase, ". . .all or any . ." of the employes. Under this broad definition, the Board is satisfied that the "agency shop" provision in the agreement falls within this definition and is applicable to this proceeding.

Union counsel finally argues that there had not been a change in the attitude of the employes towards the union security provision of the collective bargaining agreement. This argument has been clearly answered in the Findings of Fact set forth above and needs no further comment.

Counsel for the Employer in his brief raises the question of whether the form of union security provision contained in the collective bargaining agreement existing between the parties is valid. This question has been answered above. He further questioned whether or not the petition as filed by Hagen requires the Board to terminate the union security clause presently existing in the agreement. This question has also been answered. It should be interesting to note that in his brief, Counsel for the employer states.

> "The record in this case is likewise clear and supports the recent conclusion that there is a reasonable ground to believe that there has been a change in the attitude of the employes."

The collective bargaining agreement may be terminated by the parties on May 31, 1954. The Board, therefore, believes that this direction is made at an appropriate time since the statute provides that if a union security agreement is not supported by a new referendum that the union security provision shall be terminated at the termination of the contract.

The results of the new referendum indicating the wishes of the employes with regard to an all-union agreement will be known prior to the possible termination of the

present agreement. This knowledge will tend to stabilize negotiations at least with respect to the union security issue.

Dated at the City of Madison, Wisconsin, this 11th day of January, 1954.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By L. E. Gooding /s/
L. E. Gooding, Chairman

J. E. Fitzgibbon /s/
J. E. Fitzgibbon, Commissioner

Morris Slavney /s/
Morris Slavney, Commissioner

Wisconsin Administrative Code

Wisconsin Employment Relations Board

GENERAL RULES AND REGULATIONS
STATUTES

In Effect May 1, 1954
WISCONSIN EMPLOYMENT RELATIONS BOARD
STATE OF WISCONSIN

DIGEST OF DECISIONS OF THE WISCONSIN EMPLOYMENT RELATIONS BOARD AND THE COURTS INVOLVING THE WISCONSIN EMPLOYMENT PEACE ACT

May 12, 1939–December 31, 1955

VOLUME I

MADISON, WISCONSIN—JUNE 1, 1956

11-56

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

CHARLES J. WIECHERING, Complainant, vs. APPLETON PHOTO ENGRAVERS UNION #77, a unit of INTERNATIONAL PHOTO ENGRAVERS UNION OF NORTH AMERICA, commonly known as I.P.E.U.; and ROBERT G. PAGEL, Respondents.	Case I No. 5864 Cw-231 Decision No. 4187-A

Appearances:
Bouch, Hilton, Dempsey and Magnusen, by Mr. Ray C. Dempsey, for the Complainant.
Mr. Sydney R. Mertz, for the Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The above entitled matter having come on for hearing before the Wisconsin Employment Relations Board in the City Hall, Menasha, Wisconsin, on the 4th day of April, 1956, at 10:00 A.M. before Chairman L.E. Gooding; and the Board having considered the evidence and arguments of counsel, and being fully advised in the premises, makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. That the Complainant, Charles J. Wiechering, is an individual residing at 380 Hickory Lane, Oshkosh, Wisconsin.

2. That the Respondent, Appleton Photo Engravers Union, Local 77, is a labor organization representing employes of various employers in the Fox River Valley, engaged in the engraving business and is affiliated with the International Photo Engravers Union of North America, commonly known as I.P.E.U. with its post office address at P. O. Box 22, Menasha, Wisconsin.

3. That the Respondent, Robert G. Pagel, is an employe of the Marathon Corporation at Menasha, Wisconsin, and since January, 1955, has been the Secretary of the Respondent Local 77, his address being P.O. Box 22, Menasha, Wisconsin.

4. That the Respondent Local 77 has engaged in collective bargaining with employers in the photo engraving business in the Fox River Valley section of the State of Wisconsin for a number of years including the Marathon Corporation, Menasha, Wisconsin; that said agreements have contained union security provisions requiring union membership as a condition of employment; that the collective bargaining agreement existing between Local 77 and Marathon Corporation which has been in full force and effect at all times material herein contains among others the following provisions:

ARTICLE III
EMPLOYMENT

"Section 1. A "Union Shop" status in accordance with section 8 (3) of the Labor-Management Relations Act, 1947, is recongnized and granted by the Employer, a party hereto.

"Section 2. The Employers agree to notify the Union when there is a vacancy or need for extra help, and the Union agrees to furnish competent and reliable members of its organization as applicants whenever available and such notice is geven by the employer.

"Section 3. Unless "otherwise mutually agreed" by both parties hereto, only persons with a minimum of six years' practical experience at one or more branches of photoengraving or kindred process shall be considered or classified as journeymen.

ROTO-GRAVURE
Rider Clause

"Section 1. This rider applies to all roto-gravure shops under the jurisdiction of the Appleton Photo-Engravers' Union No. 77, and is in addition to all other provisions as set forth in the regular Photo-Engraving and Roto-gravure Agreement.

"Section 2. This process of gravure and its attendant work thereto is defined as being and is all parts of the gravure process pertaining to the production of gravure from the "copy", original or subject, up to the finished product, and shall be performed under the terms of this agreement. The following branches recognized are: 1. Photographers 2. Photocomposers 3. Etchers-Re-etchers-Stagers 4. Sensitizers-Printer and Transfer 5. Retoucher-Layout, 6. Cylinder Grinder, Polishers, Platers-Depositors 7. Finishers

"Section 4. Photo-Engraver journeymen upon entering Roto-gravure and Roto-gravure journeymen upon entering the Henderson process shall be required to serve a 600 hour probationary period...

"Section 6. The company agrees to notify the Union when there is a vacancy or a need for extra help, and the Union agrees to furnish competent and reliable members of its organization as applicants whenever available and such notice is given by the company. The employer shall have the right to secure the necessary skilled and experienced workmen from a kindred trade. Such men entering Roto-gravure from kindred trades shall have a minimum of six years experience. They shall serve a probationary period of sixty (60) days, during which time they will work on permit at Photo-Engravers' scale. At the termination of that period, the Chapel Chairman shall present to the Union a recommendation signed by at least three (3) journeymen members of the specific branch under consideration. In the case of men entering Rotogravure, they shall be paid under the conditions set forth in the Roto-gravure Rider Clause and shall not be given credit for the sixty (60) day probationary period. However, in the best interests of the Union and of Management the Union reserves the right to investigate the qualifications of these men and their adaptability to Roto-gravure.

"Section 8. It is recognized by the parties hereto that journeymen in the Engraving and Roto Departments are interchangeable between departments."

5. That Marathon Corporation is engaged in interstate commerce within the meaning of the Labor Management Relations Act; that on August 21, 1948, this Board certified the results of a referendum in a bargaining unit consisting of employes doing photo engraving work and divisions therof, employed by five employers including the Marathon Corporation, which authorized said employers to enter into an "All-Union Agreement" with Local 77.

6. That in 1920 Wiechering became employed in the photo engraving trade as an apprentice, and after completing a five year training period as an apprentice, Wiechering continued working in the trade as a journeyman until 1938, and as a journeyman and office manager until sometime in 1942; that from 1920 through 1942, Wiechering at no time was a member of Local 77 or any other local affiliated with the International Photo Engravers Union of North America; that from 1942 to the summer of 1954 Wiechering was employed in endeavors not connected with the photo engraving trade; that in the summer of 1954, at the suggestion of the Business Agent of Local 77, Wiechering sought a position as a photo-engraver with the Marathon Corporation; that on that occasion, Arch Dixon, Engraving Plant Manager, Informed Wiechering that no openings were available at the time and that if Wiechering should obtain several months experience elsewhere his application would be reconsidered.

7. That thereafter Wiechering consulted the Business Agent of Milwaukee Photo Engravers Union, Local 19, Milwaukee, Wisconsin, who arranged for his employment at the Mueller Engraving Company, Milwaukee, Wisconsin, on a permit basis; and that

Wiechering continued in the employment of said company for a period of two months when he was replaced by a union member of Local 19, who had been laid-off at another engraving plant.

8. That upon leaving the employ of the Mueller Engraving Company, Julius T. Mueller, a journeyman copper etcher and president of the firm, gave Wiechering a letter recommending that Wiechering had proved himself to be a craftsman of the highest quality in performing copper halftone and combination work.

9. That on November 4, 1954, upon submission of the above recommendation, Wiechering was hired by Dixon on behalf of the Marathon Corporation as a roto stager, a division of photo engraving work and was employed in a department of four persons doing similar work; that Dixon immediately notified the officers of Local 77 of Wiechering's employment and that said officers orally "cleared" his employment on a 90 day permit basis.

10. That on November 18, 1954, after previously obtaining a blank application for membership in Local 77, which application in addition to requiring the signature of the applicant, also required the signatures of three journeymen attesting to the qualifications of the applicant, Wiechering returned his application, signed by him and one journeyman to the secretary of Local 77, who advised Wiechering that "no signatures were required on the application"; that Local 77 took no further action on the application nor was Wiechering advised, at any time, that his application was incomplete; that on February 24, 1955, Ray Hoelzel, President of Local 77, orally notified Dixon that Wiechering's work permit had expired on February 22, 1955; that then Dixon wrote to Hoelzel on February 25, 1955, requesting the Local 77 to advise him in writing as to Wiechering's status as an employe under the existing labor agreement; that on February 28, 1955, Hoelzel replied in writing to Dixon in part as follows:

> "Mr. Wiechering's work permit expired February 21 st and was not renewed. Thus he has no recognized status with the Appleton Photo Engravers Union. Mr. Wiechering is now an employee of Marathon Corporation and is entitled to whatever consideration they can provide for him. To the best of my knowledge no provision is allowed in the current labor agreement to cover a situation of this type."

11. That during the months of January, February and March, 1955, Wiechering's fellow employes, all members of Local 77, held back work assignments from Wiechering, that on April 16, 1955, a meeting was held in Dixon's office between Mr. Connell, International President of the I.P.E.U., Dixon and Wiechering, at which time Wiechering was told that he had too much initiative to work at Marathon Corporation, but that his work permit was being orally extended for 90 days to expire on July 21, 1955; that on the same day Connell called Together the remaining employes in the department, all members of Local 77, and told them to forget their differences and to work with Wiechering on a congenial basis; and that on the same day, Hoelzel posted the following notice on the bulletin board:

"NOTICE"

> To all members of Appleton Photo Engravers Union:
>
> Mr. Charles Wiechering, currently employed in the roto etching department of Marathon Corporation is entitled legaly to retain his position.
>
> The Union expects and desires all members to cooperate with Mr. Wiechering. No one is to interfere with his carrying out the duties assigned to him in the course of his employment."

12. That on May 16, 1955, Wiechering satisfactorily completed the 600 hours probationary period as a roto stager, and then received the full journeyman wage scale under the terms of the Collective Bargaining Agreement; that Wiechering's job performance was up to the standards required by the Marathon Corporation and expected of a journeyman.

13. That during the month of May, 1955, Wiechering asked Pagel, the secretary of Local 77, whether he should file another application for membership; that Pagel advised him not to do so, but he later gave Wiechering another application blank; that Wiechering although he attempted to do so, was unable to obtain the signatures of three members of the Local 77 certifying to his competency as a workman in the journeymen branch of membership, for which he had applied.

14. That on July 21. 1955, the expiration date of Wiechering's oral work permit, Dixon wrote Wiechering notifying him that he was being laid off as of Friday, July 22, 1955 because of a seasonal slack period and the desire of the company to cut down on plant over-head; that however on that occasion Dixon orally advised Wiechering that, "due to the fact that the union was going to start discriminatory action again he would have to leave me go because Marathon wouldn't stand for any more of it"; that at the time of Wiechering's layoff work was available for Wiechering as a copper etcher.

15. That after the lay-off notice Dixon changed Wiechering's application for union membership from the work classification of roto stager to copper etcher because he believed Wiechering could more readily obtain employment in that classification; that Dixon then signed Wiechering's application in his capacity as a member of the local union and also obtained the signatures of supervisor Kerr and another employe of the department who were members of the local union.

16. That said application was then submitted to Secretary Pagel who wrote Wiechering on July 23, 1955, after conferring with officers of the International Union, to the effect that even if Local 77 did accept and act upon his application for membership, Local 77 would be unable to grant Wiechering a traveling card for a period of six months after the approval of his application and that the earliest date that the Local 77 could consider his application would be at the next regular meeting on September 19, 1955; and that Pagel further advised Wiechering that he should contact the secretary of any local in which a copper etcher job was open and that upon securing employment the local having jurisdiction would then be able to act upon his application for membership.

17. That subsequently, after his lay-off, Wiechering was advised by officers of Milwaukee Local 19 of the I.P.E.U., that he would first have to obtain a membership in Local 77 and a traveling card before Local 19 would approve of his employment in their jurisdiction.

18. That on September 22, 1955, Pagel wrote Wiechering informing him that Local 77 on September 19, 1955 had rejected and was returning his membership application because he was not presently employed in Local 77 and again suggested that Wiechering seek employment in the jurisdiction of a local having an opening in his branch of the trade.

Upon the basis of the above and foregoing Findings of Fact, the Board makes the following

CONCLUSIONS OF LAW

1. That the officers, agents and members of Respondent Local 77 and Respondent Robert G. Pagel have unreasonably denied Charles J. Wiechering's membership in Local Union 77 within the meaning of Section 111.06 (1) (c) 1. of the Wisconsin Statutes.

2. That by their discriminatory actions against Charles J. Wiechering, the officers, agents and members of Respondent Local 77 and Respondent Robert G. Pagel have induced Marathon Corporation to discharge him and interfered with his rights as guaranteed in Section 111.04 and have committed an unfair labor practice within the meaning of Section 111.06 (2) (b) of the Wisconsin Statutes.

Upon the basis of the above and foregoing Findings of Fact, and Conclusions of Law, the Board makes the following

ORDER

1. That the "All-Union Agreement" existing between Appleton Photo Engravers Union, Local 77 and Marathon Corporation is set aside effective twenty (20) days from the date of this Order unless in the interim Appleton Photo Engravers Union, Local 77 accepts Complainant Wiechering as a regular and bonafide journeyman member in any division of the trade in Local 77 and the International Union upon payment of current monthly dues and the regular initiation fee, if any.

2. That Appleton Photo Engravers Union, Local 77 affiliated with the International Photo Engravers Union of North America, its officers, agents and members, including

Robert G. Pagel shall:

(a) Immediately cease and desist from:

(1) Causing or attempting to cause the Marathon Corporation, Menasha, Wisconsin, or any other employer within the jurisdiction of Local 77, to discriminate against or refuse to hire Charles J. Wiechering because of his nonmembership in said Local 77, or in any other manner cause or attempt to cause the Marathon Corporation, or any other employer within the jurisdiction of Local 77, to discriminate against Charles J. Wiechering.

(b) Take the following affirmative action which the Board finds will effectuate the policies of the Act:

(1) Immediately notify Charles J. Wiechering and the Marathon Corporation, in writing, that they have no objection to the immediate reinstatement of Charles J. Wiechering to his former or substantially equivalent position, without prejudice to his seniority or other rights and privileges with the Marathon Corporation.

(2) Immediately notify, in writing, all other employers within the jurisdiction of Local 77, that they have no objection to the employment of Charles J. Wiechering as a journeyman photo engraver in any division of said trade.

(3) Immediately notify Milwaukee Photo Engravers Union , Local 19, affiliated with the International Photo Engravers Union of North America and the International Photo Engravers Union of North America, in writing, that they have no objection to the employment of Charles J. Wiechering as a journeyman photo engraver in any division of the trade.

(4) Post in conspicuous places in its office at Menasha, Wisconsin, and such other places as notices to its members are customarily posted, copies of the notice attached hereto marked Appendix "A", copies of such notice shall be prepared by Appleton Photo Engravers Union Local 77, signed by an officer and also by Robert G. Pagel, and posted immediately upon receipt thereof and be maintained by it for a period not less than sixty (60) consecutive days thereafter. Reasonable steps shall be taken by it to be sure that said notices are not altered, defaced or covered by any other material.

(5) Immediately forward a copy of the executed notice to Marathon Corporation at Menasha, Wisconsin for posting, the company willing, at places where notices to employes are usually posted.

(6) Notify the Wisconsin Employment Relations Board in writing within 21 days of the receipt of a copy of this Order what steps have been taken to comply therewith.

Given under our hands and seal at the City of Madison, Wisconsin, this 9th day of November, 1956.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By L.E. Gooding /s/
L.E. Gooding, Chairman

(SEAL)

J.E. Fitzgibbon /s/
J.E. Fitzgibbon, Commissioner

Morris Slavney /s/
Morris Slavney, Commissioner

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

Case I
No. 5864 Cw-231
Decision No. 4187-A

MEMORANDUM ACCOMPANYING
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Counsel for Local 77 argues that this Board has no jurisdiction over the issue presented here because the controversy is preempted by the Labor Management Relations Act which vests exclusive jurisdiction in the National Labor Relations Board. Counsel has moved the Board to dismiss the proceeding on this ground and oral argument on said motion was had before the Board at Madison, Wisconsin, on February 16, 1956. The Board denied said motion in a formal order dated April 4, 1956, and Counsel renewed his motion at the hearing on the merits and Chairman Gooding again denied said motion. The Board's assertion of jurisdiction over this question is based upon Section 14 (b) of the Labor Management Relations Act, as amended, and on the decision of the United States Supreme Court in the case of Algoma Plywood & Veneer Co., vs. the Wisconsin Employment Relations Board (336 U.S. 301). We are confident that what the state can prohibit it can also regulate and since Wisconsin regulates the conditions under which union security agreements may be exected by requiring a referendum it can also by the authority of its statutes set aside such "All-Union Agreement" when it finds that said agreement has been unreasonably applied.

Counsel further argues that the Complainant Wiechering is barred from bringing this action because the constitution and general laws of the Photo Engravers Union requires members to exhaust all remedies under the constitution and general laws before taking his case to the "Civil Courts" and that Wiechering had not exhausted such remedies. This Board is not opposed to parties to a labor controversy exhausting remedies for settlement of grievances that may be available to them prior to bringing an action before this Board, but the record discloses that Wiechering was not a member of the Union and thus could not avail himself of the privilege of pursuing his grievance under the laws and constitution of the Union. Assuming for the sake of argument that Wiechering was a member, a consideration of the record of this case convinces us of the utter futility and complete unrealism of the argument as applied to the Complainant in view of the treatment Wiechering has received from Local 77 and International Union.

Counsel for the union also argues that numerous cases decided under the National Labor Relations Act have determined that a labor organization may establish its own rules for membership and that this agency cannot prescribe what rules Local 77 shall use for the acceptance of members in its organization. The effect of our Order is not to prescribe the rules for union membership but does say that when such rules are applied in a manner as to unreasonably deny membership and thus cause the loss of employment in a circumstance where union membership is required as a condition of employment, this Board will exercise its authority to set aside the union security provision which requires union membership as a condition of employment.

In making this Order, this Board is not desirous of upsetting the collective bargaining relationship requiring union membership as a condition of employment which exists at the Marathon Corporation and has endured over a long period of time. Therefore, we have issued our Order in an alternative which would permit the continuance of the "All-Union Agreement", provided the Respondents take prompt steps to remedy the gross injustice which has been caused the Complainant. Certainly the great powers and privileges possessed by Local 77 and the International Union, which amount as a practical matter to complete control of employment in the photo engraving industry, requires that Local 77, the International Union and the employers concerned administer their collective bargaining agreements in a fair and non-discriminatory manner with respect to all persons qualified to perform work in the photo engraving industry.

We cannot make the Complainant whole for the wages he has lost as the result of discrimination he has suffered at the hands of Local 77 and with the consent, no matter how reluctant, of the Marathon Corporation, since our statutes afford no

such relief when labor organizations have wrongfully caused loss of employment under union security agreements where there has been no complaint filed against the employer.

Dated at the City of Madison, Wisconsin, this 9th day of November, 1956.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By L.E. Gooding /s/
L.E. Gooding, Chairman

(SEAL)

By J.E. Fitzgibbon /s/
J.E. Fitzgibbon, Commissioner

Morris Slavney /s/
Morris Slavney, Commissioner

APPENDIX "A"

NOTICE TO ALL MEMBERS OF APPLETON PHOTO ENGRAVERS UNION, LOCAL 77, AFFILIATED WITH THE INTERNATIONAL PHOTO ENGRAVERS UNION OF NORTH AMERICA

Pursuant to an Order of the Wisconsin Employment Relations Board and in order to effectuate the policies of the Wisconsin Employment Peace Act, we hereby notify you that :

We will not cause or attempt to cause the Marathon Corporation or any other employer within the jurisdiction of Local 77 to discriminate against, to discharge or refuse to hire Charles J. Wiechering because of his non-membership in Local 77 or in any other manner cause or attempt to cause the Marathon Corporation or any other employer within the jurisdiction of Local 77 to discriminate against, discharge or refuse to hire Charles J. Wiechering.

We will immediately notify Charles J. Wiechering and the Marathon Corporation in writing, that we have no objection to the immediate reinstatement of Charles J. Wiechering to his former or substantially equivalent position, without prejudice to seniority or other rights and privileges with the Marathon Corporation.

We will notify all other employers within the jurisdiction of Local 77 that we have no objection to the employment of Charles J. Wiechering as a journeyman Photo Engraver in any division of the trade.

We will also immediately notify Milwaukee Photo Engravers Union, Local 19, affiliated with the International Photo Engravers Union of North America and also the International Photo Engravers Union of North American, that we have no objection to the employment of Charles J. Wiechering as a Journeyman Photo Engraver in any division of the trade.

Dated at Menasha, Wisconsin, this day of November, 1956.

_____
Appleton Photo Engravers Union Local 77
affiliated with the International Photo
Engravers Union of North America

_____
Robert G. Pagel

THIS NOTICE MUST REMAIN POSTED SIXTY (60) DAYS FROM THE DATE HEREOF AND MUST NOT BE ALTERED, DEFACED OR COVERED BY ANY OTHER MATERIAL.

UNION REPORTING REQUIREMENTS IN STATE LAWS

Requirements for Reporting Organizational Data or Financial Statements to State Officials or to the Membership

September 1958

U. S. DEPARTMENT OF LABOR
James P. Mitchell, Secretary
Bureau of Labor Standards
Arthur W. Motley, Director
Washington, D. C.

The Bureau of Labor Standards is issuing this summary of State laws that require unions to file organizational data or financial statements, for use in answering requests for such information. The laws have been analyzed and the bulletin prepared by the Bureau's Division of State Services. The Bureau wishes to express appreciation for the generous assistance given by State officials in reviewing this material.

UNION REPORTING REQUIREMENTS IN STATE LAWS

Requirements for Reporting Organizational Data or Financial Statements to State Officials or to the Membership

Eleven States (Alabama, Connecticut, Florida, Kansas, Massachusetts, Minnesota, Oregon, South Dakota, Texas, Utah, and Wisconsin) and Hawaii have enacted laws that require unions to file organizational data or financial statements, or both, with a State official, or to make available to members certain financial information. In most of these jurisdictions the unions are subject to only one or two of these requirements. In fact, only three of them 1/ have all three requirements in their laws; four others 2/ have two, and the remaining five 3/ only one.

As the attached chart shows, the earliest of these laws was that of Utah, passed in 1937, the latest, Connecticut in 1957. One was enacted in 1938, one in 1939, six in 1943, one in 1945, and one in 1946. No legislation of this type has so far been enacted in the 1958 legislative sessions.

Some of the acts also include provisions relating to other internal activities of the union, such as the method and time of election of union officers or limitations on the amount of fees and dues which may be charged. An analysis of these types of provisions is not included in this summary.

Unions Covered

Most of these twelve laws cover all labor unions. However, the Alabama and Minnesota laws specifically exclude unions subject to the Railway Labor Act and the Connecticut law exempts unions with less than 25 members.

Two others, as well as Alabama, exempt certain unions from one requirement only - i.e., that of filing financial reports with a State agency. In Alabama and Kansas only unions with 25 or more members, and in Massachusetts only unions with more than 50 members, are required to file financial reports, but all unions must comply with other provisions of these laws.

Organizational Data[4/]

In seven States (Alabama, Connecticut, Florida, Kansas, Massachusetts, Texas, and Utah) and Hawaii the laws require labor unions to file organizational information with a State official. Reports are required on such items as name of union, locations of union offices, names and addresses of local officers, and names and addresses of organizations with which the union is affiliated. Under some of the laws, the union must report other information, such as scale of dues, initiation fees, fines, assessments, and aims and objects of the union. In addition, unions in four of these States (Alabama, Connecticut, Kansas, and Texas) must file copies of their constitutions and by-laws, either annually or before operating in the State. In three of these four (all but Connecticut) changes or amendments must be reported within a specified period after adoption.

Financial Statements

a. Reports to State Officials

The laws of six of the 12 jurisdictions (Alabama, Connecticut, Kansas, Massachusetts, South Dakota, and Texas) require unions to file reports regarding their financial activities with a State official. As indicated in the chart, the financial items required to be reported vary with each law from merely a report of property owned to a complete financial statement. In general, reports must show all receipts, including income from dues, fees, fines, and other sources, all disbursements and the purposes therefor, a record of property owned, and amounts of salaries, wages, bonuses, and other remuneration paid officers and business agents. One law, that of Massachusetts, expressly provides that if the union is required to file a statement with the U. S. Department of Labor, a duplicate of that statement will meet this requirement.

In most cases the financial statement must be verified by a union official under oath. In Connecticut it must also be audited by a certified public accountant.

b. Reports to Membership

Five of the 12 laws (Alabama, Connecticut, Hawaii, Minnesota, and Wisconsin) provide that unions msut make information on their financial activities available to the membership. Alabama and Connecticut, two of the six States which require unions to file financial reports with a State official, provide that the same report be made available to the membership. Alabama requires that a copy of the report be filed with each member, while Connecticut requires that copies must be furnished to the membership at a union

meeting and must be available at the union office for inspection. Hawaii, Minnesota, and Wisconsin, while not requiring financial statements to be filed with a State official, do require unions to furnish financial statements to each member.

The remaining seven States do not require unions to provide their membership with statements regarding their financial actions. The laws in Florida, Oregon, and Texas, however, require unions to keep accounts itemizing receipts and expenditures and their purposes, and also expressly provide that members are entitled to inspect such records at all reasonable times. In Texas the records are also open to inspection by enforcement officials and grand juries. In Kansas and Massachusetts, while the laws do not require unions to furnish information directly to their members, it would in fact be available to them, since the reports on file with a State official are open to the public. The South Dakota law is silent on this point, while the Utah law has no requirement as to a financial statement.

Public Disclosure

Of the nine jurisdictions which require unions to file either organizational data or reports of financial activities, or both, with a State official, only Kansas and Massachusetts specifically provide that such records be open to the public.

Of the other seven, the Connecticut law provides specifically that reports are not open to the public, but that a member may examine his own union's report. (Such report must also be available at the union office for inspection.) The Alabama law provides that the report shall be available to the Governor for inspection. The Texas law provides that reports shall be available only to the Secretary of State, the Commissioner of Labor Statistics, the Attorney General, and to grand juries and judicial and quasi-judicial inquiries in legal proceedings. The Hawaii, Florida, South Dakota, and Utah laws are silent on this point.

State Official with Whom Reports Must be Filed

Of the nine laws which require reports and information to be submitted to a State official, five (Connecticut, Florida, Kansas, South Dakota, and Texas) provide that the material be sent to the Secretary of State. Four laws require it to be submitted to labor agencies: In Alabama, the material must be submitted to the Director of Labor; in Hawaii to the Employment Relations Board; in Massachusetts to the Commissioner of Labor and Industries; and in Utah to the Industrial Commission.

Three of the laws require a fee for filing union reports. The fee is $2.00 in Alabama and Kansas and $1.00 in Florida. One other State, Connecticut, reported that the Attorney General has ruled that the law requiring a $2.00 fee for filing certain documents with the Secretary of State applies to the filing of financial reports by unions.

1/ Alabama, Connecticut, Texas

2/ Hawaii, Kansas, Massachusetts, Florida

3/ Minnesota, Oregon, South Dakota, Utah, Wisconsin

4/ The law of Puerto Rico requires labor organizations, as well as employer associations, to file with the Puerto Rico Labor Relations Board their official name and post office address. Since no organizational or financial matter is required to be filed, Puerto Rico is not included in this bulletin.

STATE LAWS REQUIRING UNIONS TO REPORT ORGANIZATIONAL DATA OR SUBMIT FINANCIAL STATEMENTS TO A STATE OFFICIAL OR TO MAKE FINANCIAL INFORMATION AVAILABLE TO THEIR MEMBERSHIP 1/

State (1)	Year of original enactment (2)	Law applies to (3)	Union required to file with State official: Constitution and by-laws (4)	Union required to file with State official: Financial statement or Organizational statement (5)	Reports filed with State official are public information (6)	Union required to make financial information or records available to members (7)	Penalty 2/ (8)
ALABAMA Code of 1940, 1955 Supp., Title 26, Ch. 8, Secs. 377, 382, 393.	1943	All labor organizations including locals, except unions subject to the Railway Labor Act. Only unions with 25 or more members are required to file information in column 5.	With department of labor before operating. Must file changes or amendments within 30 days after adoption.	Annually, with the Director of Labor, if union has 25 or more members, a statement showing: name of union, locations of union offices, names, addresses and salaries, wages, bonuses, and other remuneration of officers and business agents, number of paid members, etc., and a complete financial statement which has been verified by oath of an officer of the union. To be filed by secretary or business agent.	Law does not so specify; provides report be available to Governor for inspection.	Same report filed with Director of Labor must be filed with each member.	Fine not to exceed $1,000 for violating any provision. Fine not to exceed $500 or imprisonment not to exceed 12 months or both, for collecting dues, etc., when a union has not filed its annual report.
CONNECTICUT Public Acts, Jan. Session 1957, Act No. 628, Secs. 1, 2, 3.	1957	All labor organizations having 25 or more members in the State, including federations or councils representing any groups of such labor organizations.	Annually with the Secretary of State.	Annually with the Secretary of State, if union has 25 or more members, a statement showing: name of union, location of union offices, names, addresses and salaries, wages, bonuses, and other remuneration of officers and business agents, etc., and a complete financial statement. Financial information must be verified by oath of the treasurer and audited by a C.P.A. To be filed by treasurer.	Law specifies that reports shall not be open to public inspection, except that a member may examine the report of his own union.	Same report filed with Secretary of State must be furnished to membership at a unibn meeting and must be available at union office for inspection.	Any treasurer or person charged with filing reports who fails to comply shall forfeit $25 to the State for each failure.

FLORIDA Stats. Anno. Title 29, Secs. 447.02, 447.05, 447.06, 447.07, 447.14. See 2/	1943	All labor organizations, including locals.	No requirement.	Annually with the Secretary of State, in such form as the Secretary may prescribe, a statement showing: name of union, location of its office, and name and address of the president, secretary, treasurer, and business agent. To be filed by secretary or business agent.	Law does not so specify.	Union must keep accounts, itemizing receipts and expenditures, their sources and purposes. Any member may inspect records at all reasonable times.	Fine not to exceed $500 or imprisonment not to exceed 6 months, or both, for violating any provision.
HAWAII Session Laws 1945, Series A-68, Act 250, Secs. 4150.10, 4150.14, 4150.03.	1945	Every person acting as the representative of employees for collective bargaining. [Act defines "person" to include "associations".]	No requirement.	With the Employment Relations Board, in order to be recognized as a labor organization and be included in the list which the Board is required to keep, a statement showing: name of union, name and address of secretary or other officer to whom notices may be sent, date of organization, and affiliations with other organizations. The Board must be promptly notified of any changes.	Law does not so specify.	Adequate records of financial transactions must be kept and a detailed financial report in the form of a balance sheet and an operating statement must be presented annually to members.	Any member may petition the Board for an order compelling compliance with the provision on financial accountability which is enforcible in the same manner as other orders of the Board.
KANSAS Gen. Stat. Anno. 1949, Ch. 44, Art. 8, Secs. 44-802, 44-805, 44-806, 44-807, 44-814.	1943	All labor organizations. Only unions with 25 or more members required to file information in column 5.	With Secretary of State before operating. Must file changes or amendments within 30 days after adoption.	Annually with Secretary of State, if union has 25 or more members, a statement showing: name of organization, location of union offices, names, addresses and salaries, wages, bonuses, and other remuneration of officers and business agents, date of regular election of officers, the rate of initiation fees, dues, assessments, and any other charges against members, and a "verified" financial statement. To be filed by secretary or business agent in such form as the Secretary of State may prescribe.	Law specifies that records on file are open to the public.	Not required.	Law states that violation is not a criminal offense "except as otherwise provided by law", but persons may be enjoined from violating any provision of the law.

STATE LAWS REQUIRING UNIONS TO REPORT ORGANIZATIONAL DATA OR SUBMIT FINANCIAL STATEMENTS TO A STATE OFFICIAL - Continued

State (1)	Year of original enactment (2)	Law applies to (3)	Union required to file with State official: Constitution and by-laws (4)	Union required to file with State official: Financial statement or Organizational statement (5)	Reports filed with State official are public information (6)	Union required to make financial information or records available to members (7)	Penalty 2/ (8)
MASSACHUSETTS Acts and Resolves, 1946, Ch. 618, and Acts and Resolves, 1949, Ch. 394.	1946	All labor unions. Only unions with more than 50 members are required to file annual reports described in column 5.	No requirement.	With the Commissioner of Labor and Industries. Before operating, a statement showing: names and addresses of officers, aims and objects of the union, scale of dues, initiation fees, fines and assessments and salaries of officers. Annually, if union has more than 50 members, a report in such form as the Commissioner may prescribe, a statement showing: total receipts and their sources, and disbursements. If required to file with the U. S. Department of Labor, a duplicate of that statement will meet this requirement. To be filed by president and secretary.	Law specifies that all reports and records filed are open to the public.	Not required.	Fine of not less than $50 nor more than $500 for violating provisions under column 5, or knowingly making a false statement in these reports.
MINNESOTA Stat. Anno. Ch. 179, Secs. 179.18, 179.21, 179.23.	1943	All labor organizations, except those subject to the Railway Labor Act.	No requirement.	No requirement.	Inapplicable.	The officer of every union who is charged with financial responsibility must furnish annually to members in good standing a statement of the union's receipts and disbursements.	If a labor referee appointed by the Governor sustains the charge that a labor organization has failed to comply with the provision in column 7, such organization is disqualified from acting as a representative of employees until such disqualification has been removed.

OREGON Revised Stat., Ch. 661, Secs. 661.040, 661.990.	1938	All organisations, associations, or persons legally authorised to act as collective bargaining agents or representatives of laboring people.	No requirement.	No requirement.	Inapplicable.	Accurate books must be kept, itemizing all receipts and expenditures and the purpose of such expenditures. Any member is entitled to inspect the records at all reasonable times and to have an accounting of all money and property thereof.	Violation of any provision is a misdemeanor. Violation may be enjoined.
SOUTH DAKOTA Code of 1939, 1952 Supp., Ch. 17.11, Sec. 17.1105.	1943	All labor unions including locals.	No requirement.	Annually with the Secretary of State, a verified statement of income and expenditures showing dues, fees, assessments, or fines, and money collected from any other source, the amount of money in the treasury, salary of each officer, total expenditures and the purposes for such expenditures. To be filed by the president or other executive officials.	Law does not so specify.	No requirement.	No specific penalty provided in this law.
TEXAS Vernon's Civil Stat. Anno., Art. 5154a, Secs. 2, 3, 4, 9, 11.	1943	All labor organisations including locals.	Union must file with Secretary of State. Must report changes within 20 days after such changes are made.	Union must file annually with the Secretary of State, a statement showing: name and address of union, names and addresses of local officers, names and addresses of organisations with which affiliated; a statement of all property owned, including money. 3/ Statement must be verified by president or other officer.	Reports required by the Secretary of State shall be available only to the Secretary of State, the Commissioner of Labor Statistics, and the Attorney General; also open to grand juries and	All unions must keep accurate books of accounts itemizing receipts and their sources, and expenditures and their purposes. Members and enforcement officers are entitled to	Fine not to exceed $1,000 for violation of any provision by a union. Fine not to exceed $500 or imprisonment for not more than 60 days, or both, for violation of any provision by any union officer or organizer.

STATE LAWS REQUIRING UNIONS TO REPORT ORGANIZATIONAL DATA OR SUBMIT FINANCIAL STATEMENTS TO A STATE OFFICIAL - Continued

State (1)	Year of original enactment (2)	Law applies to (3)	Union required to file with State official: Constitution and by-laws (4)	Union required to file with State official: Financial statement or Organizational statement (5)	Reports filed with State officials are public information (6)	Union required to make financial information or records available to members (7)	Penalty 2/ (8)
TEXAS - (Cont.)					judicial and quasi-judicial inquiries in legal proceedings.	look at the books at all reasonable times. They are also open to grand juries and judicial and quasi-judicial inquiries.	
UTAH Code. Anno. 1953, Ch. 13, Secs. 34-13-1, 34-13-2, 34-13-3, 34-13-4.	1937	All labor organizations.	No requirement.	President or secretary must file annually with the Industrial Commission a statement showing: name and address of organization, names and addresses of local officers, name and address of national or international union with which affiliated. Changes must be reported within 10 days after they are made.	Law does not so specify.	No requirement.	Violation is a misdemeanor.
WISCONSIN Stat. Anno., Ch. 111, Sub. ch. 1, Secs. 111.02(4), 111.08.	1939	All associations representing employees.	No requirement.	No requirement.	Inapplicable.	Adequate records of financial transactions must be kept and a written financial statement presented annually to each member.	Any member may petition the Wisconsin Employment Relations Board for an order compelling compliance, which is enforcible in the same manner as other orders of the Board.

FOOTNOTES:

1/ Some of these laws also include provisions regulating other internal union activities, such as procedure for election of officers and limitations on dues or fees, which are not included in this chart.

2/ In Hill v. State of Florida, 325 U.S. 543 (1944) the U. S. Supreme Court recognized the validity of the reporting requirements of the Florida statute. The principle established by this decision is, of course, equally applicable to other such State laws. A majority of the Court, however, raised doubt as to the validity of State sanctions for failure to comply. The State of Florida had enjoined a union from functioning until the required reports were filed. A majority of the U. S. Supreme Court held that a State could not do this because it would be a direct impediment to the full freedom to exercise the right to collective bargaining guaranteed by Federal law, i.e., the National Labor Relations Act. The majority opinion indicated, although the Court did not decide, that imposition by a State of a criminal penalty for failure to file the required reports might be as invalid as an injunction. Following the Hill decision, the Attorney General of Florida rules that all labor organizations in Florida are required to comply with the reporting requirements, and that upon failure to comply they "cannot be enjoined from functioning solely with respect to collective bargaining under the National Labor Relations Act; but as to all other functions and activities of a labor organization, the provisions of said section 6 are valid and enforceable."

3/ Another section [Sec. 3(d)] requiring a complete financial statement was held invalid as imposing upon unions undue burdens which are not demanded by the public interest and are not essential to enforcement of the valid provisions of the Texas Union Control Law. American Federation of Labor v. Mann, Civ. App. 188 S.W. 2d 276.

Union Authorization · Election

NLRB

Rarely on Challenged Ballots

Before Completion

NLRA changed

Union files of STIPULATE

file petition (check of 30% sign)

Notice of Hearing

2 or 3 weeks

(if no requests delay)

Excuse make notice

1 mos. of hearing

Direction Cons

and other hearings

Oct 14

NLRB

Unit same as certified unit or bargaining unit

Set aside without prejudice

Nat'l Bd. determines unit

Lay off, reasonable expectation of return — but if long

1551 Votes helpful in preparing your state protection

SCHOOL FOR WORKERS
University of Wisconsin
Extension Division

Date _____

Mr.
Mrs.
Miss

Last name (please print) | First name | phone number

Home address | City | Zone | State

Int'l Union | Local # | City

What position, if any, do you hold in your union and/or central labor body? _____

Your employer: _____ Your job: _____

afscme/afl/171

29

NEPA

Challenge Ballots
1986 ans
1608
1531 Voted
383 Challenged
95/96
30

Union Security

When does petition have to be in? Rel. to Bargaining
or
how long to process
if hearing is required

What substantial showing needed.

What would be effective challenge to holding a referendum.

What relation of NLRB

Arnold Anderson
Lots Hardy

#

1

Stipulation — usually
elect in a week
5 days to certify

If a hearing — depending
WEPA — 2-4 weeks

A fact finding procedure
WEPA — Limits RT of Employee in making agreement
Adds no new rights
permits "all union agreement"
2/3 of employees voting — 2/3 of valid ballots
and if 2/3 is a majority of employees in unit
Authorization vote is called "a referendum"
Conducted by WERB

Employer petition
only if he made K for Union shop conditional on
referendum outcome
(J.I Case, 1946, #68 — not for purpose
of letting employer determine merits when
he has no intention of granting).
Black Cat Cafe (1952 # 3249)
Seems to say no statutory requirement

Union petition
Not limited by employer agreement or indication

Employer not bound to sign because Union won
"Contract Bar" typically ~~part~~ precluded
intervenor Union from participation where valid K exists

WEPA

Kinds of Valid Union Sec. under Wis. law

1) Closed shop

2) Union Shop

3) Maintenance of Membership
at time of K & that voluntarily later
must remain members
Can't compel to join.

4) Agency shop — Only case Wed. Union Tel. Co. #3661 (1954)
pay the amount of dues, but no compulsion for those not in maintenance of mem or Union shop (new members) or membership
K language important

5) Preferential shops Cutler Hammer
in hiring layoff, transfers Milk Co. Cir Ct. 1946

Bds. brief: if most extreme form of union Sec. authorized by legis. then lesser forms must be.
Court: encourages Union membership, falls short of "all Union Shop" may still be validated.

6

WEPA

Under Wis. Law

May discipline a member & expell &
Require employer to discharge
[Four Wheel Drive Auto Co., #3655 (1953)]
"properly disciplined"

Bd could terminate an "all union" agreement
if lab. org. has unreasonably refused
to receive as a member an employee
of such employer

This has never happened

Walter Kwapil
#7 X381

Change of elections for WEPA

Mr. Cundiman

What's the procedure? — A Petition comes in

Stipulation comes in?

What problems — Challenged Ballots
Cut off Date Rules, etc.

Timing

Who contacts whom (after petition)

Should a union just send to "Early" of NERB

Use NLRB "Unit"

How overturn a vote
It is good for future — even without a K clause.

~~RL 6 2641 — 50% Sec.~~

Unaffiliated Homes — Who is the rep.
Hard estimate strength of groups

Kind of Campaign

Where hold vote —

rent a hall? if needed

Meaning to K

Good if sort of winning

Undermines the bargaining demand

└ puts the campaign for K & Referendum at same time.

Legality is simple

Winning is tough

Must plan and work.

Most Recent
Annual Report
Digest of Decisions

Timing? — How long a process
When in the year

Have rules changed

2/3 of those voting (the valid ballots)
& Majority of members —

Must have referendum on All Union Agreement

Not by Petition (secure copies — need original & 5 copies.)

Stipulation for Referendum — when parties agree

Hearing otherwise

Good for Coming K and subsequent
? EV — even if not Negotiated 1st time around —

If employer asks, then election if wrong, then
Union Security is mandatory without bargaining — Employer may request after election lost, & unionization on Col. Barg
One year bar to subsequent referendum if failed
for the next round.

Employer, then requests —
Could negotiate a conditional union security
clause upon the outcome of a subsequent election

Present Hel.

Employer may not interfere — e.g. questioning workers about their proposed vote — Any campaign or persuasion
Cases opposed — but proper

Kinds of Union Security allowed:
- Union shops (could be challenged)
- Maintenance of Membership
- Agency shops
- Preferential shops

Admin. rules

Used — Admin. rules out

for my

University of Wisconsin
School for Workers

LEGAL STATUS OF UNION SECURITY CLAUSES IN WISCONSIN

1. The Labor-Management Relations Act, 1947 prohibits a CLOSED SHOP clause.

> "Sec. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8 (a)(3)."

2. The Labor-Management Relations Act permits a UNION SHOP or MAINTENANCE of MEMBERSHIP clause

> "Sec. 8 (a)(3)...nothing in this Act...shall preclude an employer from making an agreement with a labor organization...to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment..."

PROVIDED THAT:

A. "...such labor organization is the representative of the employees as provided in section 9 (a), in the appropriate collective-bargaining unit covered by such agreement when made."
- Section 8 (a)(3) -

B. "Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State...in which such execution or application is prohibited by State...law."
- Section 14 (b) -

Thus, under the Taft-Hartley Act a union shop clause is permissible when it is negotiated by the designated or selected representative of a majority of the employees in a collective bargaining unit UNLESS it is explicitly prohibited by state law. Does Wisconsin law at present prohibit a union shop clause in collective bargaining agreements?

3. The Wisconsin Employment Peace Act, 1939 permits a UNION SHOP or MAINTENANCE of MEMBERSHIP clause.

> "Chapter 111.06 (1)(c)1....an employer shall not be prohibited from entering into an all-union agreement (an agreement...whereby all or any of the employees in such unit are required to be members of a single labor organization) with the representatives of his employes in a collective bargaining unit..."

PROVIDED THAT:

> A. "...at least two-thirds of such employes voting (provided such two-thirds of such employes also constitute at least a majority of the employes in such collective bargaining unit) shall have voted affirmatively by secret ballot in favor of such all-union agreement in a referendum conducted by the board...
>
> B. "The board shall declare any such all-union agreement terminated whenever it finds that the labor organization involved has unreasonably refused to receive as a member any employe of such employer."

THUS, IN WISCONSIN, IF THE REFERENDUM REQUIREMENT IS MET SUCCESSFULLY, A UNION MAY NEGOTIATE FOR INCLUSION IN ITS COLLECTIVE BARGAINING AGREEMENT A UNION SHOP OR MAINTENANCE OF MEMBERSHIP CLAUSE.

4. In the administration of a UNION SHOP clause the Labor-Management Relations Act provides that:

> "Sec. 8 (a)(3)...No employer shall justify any discrimination against an employee for nonmembership in a labor organization...if he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership."

5. The Labor-Management Relations Act further provides that:

> "Sec. 9 (a) Representatives designated or selected for the purposes of collective bargaining by

> the majority of the employees in a unit appropriate for such purposes, shall be the EXCLUSIVE representatives of ALL employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment..."

This means that a union, even in the absence of a Union Shop clause, must "represent non-union members of the (unit) without hostile discrimination, fairly, impartially, and in good faith." The National Labor Relations Board in the Hughes Tool Company Case, 104 NLRB 318 (1953), ruled that:

> "The duty of equal representation...is inherent in the exclusive representative status accorded by the statute...We...find that... Section 9 (a)...gives rise to a duty by labor organizations, as the exclusive representative in grievance proceedings, impartially and without discrimination to accept and process all grievances placed in its hands by the employees it represents" regardless of their union membership or not.

2. Special Committees: limited, short term responsibilities.

   a. Assignment of responsibility must be specific.
   b. May study, plan, recommend, report, or execute, or any combination of these duties.
   c. Should be discharged after execution of responsibilities.

3. All committee work should receive recognition.

   a. By the committee chairman.
   b. By the local officers and the membership.

D. Hazards

1. When committees are not active, they are worse than nothing; they breed frustration and disillusionment.

2. Too much may be referred to committees; the membership also has responsibilities and should be involved in all activities possible.

3. Government of the union by committee must be avoided.

4. When the need for action is pressing, committee activity may result in dangerous delays; principle of purpose must be balanced against principle of process.

E. Why some committees fail

Knowledge
Purpose
Process
Direction
Challenge

1. No clear mission.
2. Lack of information.
   a. Assign individual study and planning responsibilities.
   b. Use of sub-committee.
   c. Make use of outside experts.
3. Inadequate leadership.
   a. Uninformed on conduct, procedure, resources, purpose.
   b. Unguided, lack of direction.
   c. Vice-president to have responsibilities here?
4. No pressures from officers or members to deliver the goods.

F. Committee reports: see mimeographed materials.

G. Integration and coordination of committee work in union's total program.

Integration
Group Mind
Challenge

1. Should committee chairman be a part of executive board meetings?
2. Should there be annual (semi-annual, quarterly) meetings of all committees together with the executive board for long range planning and coordination.

R-1
2/60

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF THE PETITION OF

FOR A REFERENDUM ON THE QUESTION OF AN ALL-UNION AGREEMENT BETWEEN

---, EMPLOYER,

AND---

---, UNION.

REFERENDUM

CASE

NO.

Name and address of petitioner:

Name and address of employer:

General nature of business:

Approximate total number of employes:

The types, classifications or groups of employes which constitute the appropriate collective bargaining unit:

Approximate number of employes within such unit:

R-2
7/61

STATE OF WISCONSIN
WISCONSIN EMPLOYMENT RELATIONS BOARD

STIPULATION FOR REFERENDUM

WHEREAS, _____

_____,
hereinafter referred to as the "Union", has requested the Wisconsin Employment Relations Board to conduct a referendum pursuant to Section 111.06 of the Wisconsin Statutes among the employes of _____

_____,
hereinafter referred to as the "Employer".

NOW, THEREFORE, IT IS AGREED by and between the Employer and Union named below, for the purpose of avoiding the necessity of conducting a hearing to determine the questions raised by the request for such referendum that:

1. A referendum by secret ballot shall be held pursuant to Section 111.06 of the Wisconsin Employment Relations Act to determine whether or not the required number of the eligible employes as specified in paragraph four (4) below, favor an "All-Union Agreement" between the Employer and the Union as their representative in the unit as specified in paragraph three (3) below.

2. Said referendum shall be conducted under the supervision of the Wisconsin Employment Relations Board, and shall be held pursuant to the Wisconsin Employment Relations Act, and to such rules and regulations as the Board may prescribe. The referendum shall be conducted at a time and place to be determined by the Board.

3. The unit for the purposes of collective bargaining shall be as follows:

4. The employes eligible to vote shall be the following:

All employes of the Employer who are included in the unit described in paragraph three (3) above, and whose names are included in the list marked "Exhibit A" which is attached hereto and made a part of this Stipulation, shall be eligible to vote.

The parties to this Stipulation certify that the employes named in the attached "Exhibit A" constitute all of the employes of the Employer in the bargaining unit described in paragraph three (3) above.

Dated at _____, Wisconsin, this _____ day of _____ 19_____

_____	_____
_____	_____
NAME OF EMPLOYER	NAME OF UNION WITH AFFILIATION
By _____	By _____
Street _____	Street _____
City _____ Tel. _____	City _____ Tel. _____

SEE DIRECTORY ATTACHED FOR LIST OF PERSONS RECEIVING MATERIALS MENTIONED IN MEMORANDUM

Southern Regional Council, Inc.

ROOM 432, 63 AUBURN AVENUE, N. E. ATLANTA 3, GEORGIA

JAckson 2-8764

HAROLD C. FLEMING
EXECUTIVE DIRECTOR

A Council to attain, through research and action, the ideals and practices of equal opportunity for all peoples in the South.

October 8, 1958

MEMORANDUM

To: Delegates to Southern Labor School

From: Emory F. Via
Labor Consultant

Enclosed are the two pamphlets which we discussed in class at the recent Southern Labor School. The pamphlets are "Sense and Nonsense About Race" and "Prejudiced - How Do People Get That Way?" Each pamphlet is by an expert in his field. The first summarizes what is known about race in terms of anthropology, biology, and psychology. It is scientifically reliable. The second pamphlet deals with the psychology of prejudice, what prejudice does to individuals, and how it affects human relations.

You will remember that we thought these materials would be useful: (1) in supplying factual information; (2) in providing a basis for understanding others in their racial attitudes; (3) in aiding us in our understanding of ourselves; (4) in supplying information useful in refuting the exaggerated and often hot-headed claims of those who engage in race baiting; (5) in providing a guide for aiding others who wish to increase their understanding in these areas. I feel you will find some of this information valuable in all of your dealings with people - whether race is a factor or not - since it brings to light some important principles of psychology and human relations.

Let me know if there are any other materials which would be useful to you. In the meantime, I am preparing a summary of some of the suggestions of "things to do to ease racial tensions," which I will send you in the near future.

- : -

ALL STUDENT DELEGATES AND MR. JOHN COSGROVE WERE SENT THIS MEMO WITH A COPY OF "Sense and Nonsense About Race" and "Prejudiced - How Do People Get That Way?" 10/8/58

DIRECTORY

SOUTHERN LABOR SCHOOL

ADVANCED INSTITUTE

Daytona Plaza Hotel -- Daytona Beach, Florida

September 14 - 19, 1958

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Booker, Joseph, Educational Chairman
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133 South Lamar Street
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Young, Sinway President
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Bussie, Victor President
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939 Church Street
Nashville, 3, Tennessee
(President, Southern Labor School)

Weeks, Barney, President
Alabama Labor Council
604 Lyric Building
Birmingham, 3, Alabama

GUESTS

Mrs. Joseph Booker
Mrs. Harry Goldberg
Mrs. L. G. Morgan
Mrs. Barney Weeks
Mrs. Victor Bussie
Mrs. Oliver W. Singleton
Mrs. John R. Moore and Baby

SOUTHERN LABOR EDUCATION PROGRAM

Union	Dates	Place	Convention Headquarters	Chief Contact
Southern Labor School	Sept. 14-19,'58	Daytona Beach	Plaza Hotel	Stanton Smith
Tri-State Labor School	Aug. 10-14, 1958	Chapel Hill, N. C.	University of North Carolina	Bill Holder

NATIONAL UNION CONVENTIONS

Union	Dates	Place	Convention Headquarters	Chief Contact
URW	Sept. 21, 1958	Miami, Florida		
AFT	Aug. 25-9, 1958	?		
OCAW	Sept. 22	Long Beach, Calif.	Lafayette Hotel	

OTHER:

1. Southern Union Staff Meeting

Union	Dates	Place	Convention Headquarters	Chief Contact
TWUA Union Staff	Aug. 20-23, '58	Textile Office, Charlotte		Boyd Payton
Friends Conf. on Race Relations	Aug. 30-Sept.1,'58	Westtown School (Outside Philadelphia)		Dave Scull

Labor Organizing — South 9-14-69

SOUTH

Strike Dead Line Set at Food Firm

MONTGOMERY, Ala. — The RWDSU Alabama Council is making progress toward a renewal for 175 members employed by two jointly-owned food-producing firms here, the Alaga Syrup Co. and the W. W. Pickle Co.

"The members have set a strike deadline for later this month," said State Dir. C. T. Daniel, "and we hope that we can settle the contract before then."

The only issue still outstanding is wages. The company so far has offered five cents the first year, seven the second and ten the third.

In the negotiations so far, the union members have gained a dues check-off for the first time in the eight years they have been represented by the union; improved seniority, grievance procedure, holiday and vacation provisions, and strengthened contract language.

Council Rep. Lester Bettice is heading the union's negotiators.

The pickle company sells its products under the brand name of Alabama Girl.

Tennessee Town Going 'Union' As RWDSU Drive Rolls Onward

SHELBYVILLE, Tenn.—Steadily, the RWDSU Alabama Council's organizing drive is making Shelbyville into a real union town.

While negotiations for a first agreement for 250 members at the Dixie Home Products chicken-processing plant are close to completion, the union expects to win NLRB votes early next month among 200 employees at two pencil companies.

At the Commonwealth Pencil Co., the board will hold a bargaining vote among the 85 employees Oct. 3, and it will hold a vote among the 125 employees of the Jensen Lead Co. a week later.

"We're very optimistic on the outcome of the votes," said Alabama State Dir. C. T. Daniel. "We have big majorities signed up at both plants."

Council Rep. Jack Davis, Int'l Rep. Murl Householder and Daniel are heading the drives.

Commonwealth assembles the different parts of a lead pencil—lead, wood, eraser, holder—while Jensen supplies lead, erasers and other parts to other companies.

The two campaigns began shortly after the RWDSU won NLRB elections in June among the Dixie Home employees and among employees of the Bedford County Co-op, a seed and hardware store.

In addition to the pencil companies, workers at several other plants in this city of 10,000 have asked the union for help in organizing their plants.

Meanwhile, negotiations for a first contract at Dixie Home are close to completion.

"We've got negotiating sessions set for Friday, Sept. 12 and Saturday, Sept. 13, and we're planning a meeting of the employees for Sunday, the 14th," Daniel said. "We hope to have an agreement finished by then."

He said that the union expects to win good wage increases in a two- or three-year agreement, seniority, check-off of dues, job and union security, holidays, vacations and other benefits.

The union's drive in Shelbyville began less than a year ago when Davis, who lives in Huntsville, Ala., 50 miles away, visited a relative who works at Dixie Home.

New Orleans Locals Join Alabama Council

NEW ORLEANS, La.—Two New Orleans locals, Local 389 and Local 503, have voted to join the RWDSU Alabama Council, and the Council has opened a new office here to service its new members.

Staffer Joe McCullough will be in charge of the office, which is located at 1515 South Salcedo Street. The phone number is area code 504 866-5274.

McCullough has been a member of United Dairy Employees Local 102A in Mobile, Ala., for nearly 15 years and an officer of the union for most of that time. He joined the Council staff earlier this year.

Sam Lindsey is president of Local 389 and Clifton J. Hernandez is president of '503.'

With the addition of the New Orleans members, the Council now has about 7,500 members in the states of Mississippi, Tennessee, Alabama and Louisiana.

Georgia Council Petitions For Vote at Rubber Company

ATLANTA, Ga.—The Georgia RWDSU Council is continuing its successful organizing drive among workers in the Peach State with a petition to the NLRB for an election among the employees of the Hoover-Hanes Rubber Co. of Breman while it moves ahead in its drive to organize the 160 employees of the Dent Poultry Co. of Buena Vista.

At Hoover-Hanes, Rep. Herschel Holmes said that 23 workers out of 27 have joined the union, and there was no question that an election would result in the workers choosing the RWDSU.

A hearing on the union's petition is scheduled for Sept. 10, at The Record's presstime.

The campaign is being directed by Holmes with assistance from an in-shop committee consisting of Tony Patterson, Ernest Wilson and Arthur Chandler.

This is the second attempt by the Georgia Council to represent the Hoover-Hanes employees. In an NLRB election held in September 1968, the vote ended in a tie, which defeated the union.

Hoover-Hanes makes insulation for electric wiring and rubber products.

The Georgia RWDSU Council is meeting with great success in its organizing campaign among the 160 employees of the Dent Poultry Co.

Under the leadership of Council Reps. Andy Thornton and Arthur Hullam, the drive to sign up Dent workers is making excellent progress. At a first meeting with the employees Aug. 31, the union obtained 48 signed cards, while 34 more workers signed up at the second meeting Sept. 5.

Int'l Rep. Guy Dickinson said that very shortly the union will have at least 120 employees, 75 percent of the work force, in the RWDSU ranks.

The Georgia Council's first contact with Dent workers took place in July, at the time the union was engaged in a campaign at the Cagle Poultry Co. in Pine Mountain Valley. After the Council won an overwhelming victory at Cagle July 16, Thornton and Hullam were able to concentrate their efforts on the Dent Poultry drive.

The union will shortly file a petition for an election with the NLRB.

Recalls to Work Begin at Fla. Packer

DADE CITY, Fla. — The Pasco Packing Co., the largest packer of frozen citrus concentrates in the world, has recalled a substantial number of workers and by Sept. 15 will have about 450 employees back on the job.

John Hinson, president of Local 43, which represents the Pasco workers, said that other workers would be recalled in the near future, and in about six weeks the plant will be operating at full capacity.

At the peak of the season, which runs from November to June, the company employs about 1,000 people.

Pasco began laying off its force early in July, a procedure that is customary in the industry. By the middle of August, workers, principally in the maintenance departments, were being recalled.

Strike at Fairway Goes Into 2nd Month

JASPER, Ala.—The strike of 115 members of Local 1095 for substantial wage hikes in a renewal with the Fairway Manufacturing Co. is entering its second month with no immediate prospect of a settlement.

"We haven't set up any meetings with the company," said Alabama Council Org. Margaret Robbins, who is leading the strike.

All of the union members are on the picketline, and the company, a maker of golf bags, is not trying to do any work.

Before the walk-out began Aug. 19, the negotiators had reached agreement on improving the vacation schedule.

Still in dispute, in addition to wages, are holidays, jury pay, funeral leave and improved contract language.

The union negotiators include Willadene Madison, Andrew C. Kelly, Eunice Robinson, Lonnie Ford and Bea McLoughlin. The union has represented the workers for two years.

Piedmount Airlines Seeks To Hi-jack Its Pilots

GREENSBORO, N. C.—Strikebound Piedmont Airlines asked the U.S. District Court for an injunction that would compel striking pilots to return to work —flying old prop-driven planes. Commented an official of the AFL-CIO Air Line Pilots Association, "The logical next step could be an injunction requiring a group of striking truck drivers to pick up the reins and start yelling 'giddyap' to a team of percherons!"

HONOR CHUCK FOSTER: RWDSU Vice-Pres. Frank Parker (right) presents plaque honoring the late Chuck Foster, Alabama Council organizer in Gadsden for ten years, to Willie Mae Bowen, retired recording secretary of Local 506. Presentation was made at recent meeting of the Council, with Miss Bowen accepting the plaque for Mrs. Foster who was unable to attend.

Election Notice

UNITED BAKERY WORKERS LOCAL 441

United Bakery Workers Local 441 will hold its election of officers Saturday, Oct. 4 from 10 a.m. to 7 p.m. at the union hall, 1712 Seventh Avenue North, Birmingham, Alabama.

The following are the nominees for office:

President: Bill McCutcheon, Andrew McSween, Hugh Burke.

Vice-President: John Wright, Gene Hall.

Secretary-Treasurer: J. L. Ingram.

Chaplain: John Wright.

Sergeant-at-Arms (Four to be elected): Bob Guthrie, Jim Benefield, John Steve, Herbert Finley, Annie Lee Boseman.

J. L. INGRAM
Secretary-Treasurer

Official Notice

SPECIAL MEETING

Nomination of Officers

LOCAL 19

RWDSU, AFL-CIO

AFL-CIO BUILDING

2nd Avenue

Memphis, Tenn.

Oct. 15—7:30 P.M.

Oct. 16—10 A.M.

(night shift)

PAGINATION INCORRECT

'506' Asks Vote At Gadsden Firm

GADSDEN, Ala. — Local 506 has signed up a big majority of the 30 employees of Morgan Precision Co. and on Oct. 17 it petitioned the NLRB for an election.

"It looks as if we'll win without any trouble at all," said Alabama Council Org. Duane Taylor, who is heading the campaign.

The drive began when a neighbor of a Morgan employee asked Taylor about the union.

In a brief time, the local signed up nearly all the workers.

Fighting the union, the company fired one union supporter, and the union filed unfair labor practice charges.

"The NLRB is investigating and we feel sure she'll be reinstated," Taylor said.

RWDSU Marks Up Third Election Win As Tenn. Organizing Drive Keeps Rolling

SHELBYVILLE, Tenn.—The RWDSU Alabama Council won its third NLRB vote in four months in this city of 12,000 Oct. 3, when the employees of the Commonwealth Pencil Co. voted 52 to 37 to be represented by the union.

The victory raises RWDSU membership here to 400. The union bargains for nearly 300 workers at Dixie Home Products, a chicken-processor, and also at the Bedford County Co-op.

"I believe that within a year or a year and a half we can build our membership to 1,000," said Council Org. Jack Davis. "We got off to a good start and we've got a good reputation."

He said that the union has leads for drives at several other plants in Shelbyville and expects to move on them shortly.

At Commonwealth, the RWDSU has been certified and expects to start negotiations for a first agreement within a week.

"The most important items are job security and retirement benefits," Davis said. "Some of the workers have been at the plant ten or 15 years, and they have not got either."

He said that most workers earn only the $1.60 hourly Federal minimum, and have no holidays, no vacations and almost no benefits.

"We expect that we can get wage increases of 40 cents an hour," Davis said, "and other benefits."

The union's negotiators will be Christine Ray, Wyna Delffs, Hippolito Flores, Vernon Sheldon, Marie Loss, Lois Lock, Lonnie Bragg, Oliver Reed, State Dir. C. T. Daniel, Int'l Rep. Murl Householder and Davis.

The Commonwealth campaign began shortly after the Council opened its new union hall at 109 Mittwede Shopping Center. Commonwealth workers knew of the RWDSU, and began dropping around.

"This is a small town, and people hear of you," Davis said.

The company assembles the different parts—the lead, wood, eraser and holder—into a pencil.

Borden Pact Brings Pay, Holiday Gains

EAST POINT, Ga.—The RWDSU's Georgia Council has negotiated a three-year renewal for 100 employees of the Borden Co. biscuit plant here.

The contract calls for an across-the-board wage increase of 12 cents an hour each year and classification adjustments that brought additional raises of five to 25 cents an hour to more than half the employees. Workers in the maintenance department won the highest adjustment, while some other categories received nine and ten cents an hour.

There is an additional paid holiday, the employee's birthday, for a total of eight paid holidays a year; the shift premium was raised to ten cents an hour from eight cents, and grandparents were included in the bereavement clause.

The bargaining committee consisted of Ray Rollins, chairman; Sybil Campbell, Lowman Baxter, Samuel Kilpatrick, Jasper Beeman and Council Rep. Herschel Holmes.

NLRB Settlement Breaks Nursing Home Resistance

GADSDEN, Ala.—The RWDSU Alabama Council's long, hard drive to win decent wages and working conditions for employees at the Mid-South Nursing Home is drawing near to victory.

In an informal settlement reached at the NLRB, the home agreed to pay 30 union members $15,000 in back pay, reinstate them to jobs at its new building in Trussville and to bargain with the Council when it represents a majority of the workers.

There are 2,000 workers in nursing homes within 50 miles of Gadsden, and the union expects to sign up many of the workers.

"This is the first win in nursing homes around here and it was real hard to get," said Council Org. Duane Taylor. "After this, I think we can really organize."

In February, the union signed up a majority of the 30 workers at the home, then known as the Whitney Nursing Home and located in Ashville. Soon afterward the management fired nearly all the union members and they struck; the union filed NLRB unfair labor practice charges.

After 5½ months on the line, the company consented to an informal settlement in late July. It provided that the workers would be reinstated with $7,500 in back pay Aug. 1.

When the workers returned, however, the company harassed them and discriminated in favor of other workers it had hired, and the union refiled the unfair charges. Eight days later, Aug. 27, to avoid dealing with the union, Whitney closed its doors.

The closing re-opened the case, and the NLRB set a hearing on the union's charges for Oct. 16. Just as the board was to hear the charges, the company yielded and the second settlement was reached.

"We feel sure that the company will begin negotiations when we have proof of a majority," Taylor said.

During the entire campaign, Elizabeth Eggers has been chairman of the workers' committee.

"She's done an outstanding job in keeping the group together," Taylor said. "She's been the sparkplug of the group."

He also praised the late J. H. (Chuck) Foster, Council staffer, who started the drive and was killed in May while returning from the picketline to his home in Gadsden.

"This is another reason why this victory is so important to us," Taylor said.

Attorney Clarence Ray, State Dir. C. T. Daniel and Taylor represented the union members at the NLRB conferences, and Rep. Joe McCullough also took part in the drive.

The workers are nurse's aides, cooks, service and maintenance workers at the home, one of nine operated by the company in the Gadsden area.

"We hope to organize every one of them," Taylor said.

Alabama Poultry Workers Win Union Recognition

BIRMINGHAM, Ala.—After the RWDSU Alabama Council signed up an overwhelming majority of the 120 workers at the A. T. Merrill chicken-processing plant, the company has recognized the union as bargaining agent.

The recognition came at an NLRB hearing Oct. 8 on the union's petition for an election at the firm.

The union members prepared contract proposals and sent them to the company, and negotiations for the first agreement will begin Oct. 27.

The union is seeking a dues check-off, seniority, grievance procedure and arbitration, substantial wage increases, six holidays, two and three weeks of vacation, health and welfare coverage, pensions and other benefits.

"We're real strong here and we expect to make a good contract," said Int'l Rep. Henry Jenkins. "Close to 90 percent of the workers turn out for the union meetings."

The workers include production and maintenance employees and truck drivers.

The campaign began when Alabama Council Org. Jimmy Smith walked to the plant and talked to workers on their break. One day he met some on their lunch hour and said he would sign up anybody who wanted to join the union after work in the parking lot. Fifty workers joined that night, and the drive was off to a strong start.

The union requested recognition, but the company declined, and the Council petitioned for the board vote Sept. 18.

The workers earn $1.60 to $1.70 an hour and have only one week's vacation.

The company processes poultry and sells it throughout the state.

'441' Negotiates 4-Day Week

BIRMINGHAM, Ala. — Fifty members of Local 441 took a step into the future when they exchanged an eight-hour, five-day work week for a ten-hour, four-day week in their three-year renewal with Gregg Cookies Inc.

The change came because of religious reasons. The owners of the bakery are Seventh Day Adventists, a religious group that celebrates the Sabbath from sundown Friday to sundown Saturday, and they would not schedule any work on either day.

The workers, therefore, were working Sunday through Thursday.

Since this schedule deprived them of celebrating a day of rest, the union suggested that the bakery go on a Monday through Thursday work schedule, and the bakery agreed.

"The members like the new schedule fine," said Alabama Council Org. Jimmy Smith, who headed the negotiators.

The union members gained a five-cent an hour wage boost this year and re-openers in the second and third years of the pact, an additional holiday, and improved grievance procedure.

The agreement went into effect Aug. 23.

The union's negotiators, in addition to Smith, were Leon Patterson, Ada Robinson and Ruth Judge.

GREGG NEGOTIATIONS: RWDSUers who negotiated four-day week at Gregg's Cookies in Birmingham were Rep. Jimmy Smith (seated) and (standing, from left) Leon Patterson, Ruth Judge and Ada Robinson, shop chairlady.

N.C. Labor Body Prepares Fight Against Sales Tax

DURHAM, N.C. (PAI)—The North Carolina AFL-CIO will take its fight against a proposed three percent sales tax, due to be voted on in November, before the membership.

State AFL-CIO President Wilbur Hobby said the AFL-CIO would hold a two-day seminar against the increase here preparatory to launching a massive educational campaign among the electorate.

Election Notice

LOCAL 315, ATLANTA, GEORGIA

Local 315 will hold its election of officers from 8 p.m. to 9 p.m. on Dec. 8 at the union hall, 1838 Stewart Avenue, S. W., Atlanta, Ga.

The election will be by secret ballot.

Please attend.

CHARLOTTE WHITLOCK
Secretary

RWDSU Record

PAGINATION INCORRECT

Unions - Organizing South

U.S. COURT HOLDS ANTI-UNION FIRM IN CONTEMPT FOR PERSISTENT VIOLATIONS

Labor News - 9/4/70

ATLANTA—A company which for nine years has illegally interfered with all attempts by its employes to organize a union has been ruled guilty of civil contempt of court for ignoring two previous court orders to stop its unfair practices.

The U.S. Court of Appeals for the 5th Circuit voted to enforce findings of a special master that the Southwire Co., which makes wire cable at a plant in Carrollton, Ga., must stop defying the courts and the National Labor Relations Board.

A three-judge panel called the evidence of wrong-doing by Southwire and its president, Roy Richards, "very nearly a textbook model of union-harassment techniques."

Granting a petition by the NLRB for a contempt citation, Judges Bryan Simpson, Lewis R. Morgan and Joe M. Ingraham enforced an order directing Southwire to quit interfering with organizing attempts by its employes and the Elecrical, Radio & Machine Workers. The order is the fifth by the courts or the labor board since 1961.

The contempt petition charged that, in defeating a 1967 organizing campaign launched by the IUE and another union, the International Brotherhood of Electrical Workers, Southwire management violated rulings by the same court in 1963 and 1965.

Judge Simpson wrote the latest decision for the 5th Circuit. He pointed out that in the earlier orders the court forbade Southwire to discourage union membership by unlawfully discriminating against or discharging employes, unlawfully questioning workers, or promising them things of benefit to discourage union support. Yet the firm and Richards smashed the latest organizing efforts by committing exactly the same forbidden acts, the Court found.

Among the illegal actions of the company before the 1967 election, the court cited:

- A poll of employes conducted in a "stark anti-union atmosphere."
- The hiring of detectives to spy on the union activities of workers.
- A six-month delay of a wage increase in an obviously timed effort to influence the voting.
- The threatening of three employes for wearing union buttons.
- Discrimination against seven union activists and the firing of a woman because her husband was a union supporter.

The judges rejected a company argument that the hearing officer, appointed by the court in 1968, had prejudiced the company case by "taking judicial notice" of four cases in which the court affirmed board findings of unfair labor practices by Southwire.

The court quoted the master's findings that unquestionably "the company possesses deep-seated anti-union animus not only as recorded in prior proceedings of this court, but as clearly demonstrated by its vigorous opposition to the 1967 union organizing campaign."

There was "abundant proof of anti-union animus independent of the prior labor history and the prior court decisions," the judges found. They said the master's finding that the company's poll of employes was unlawful is support by "convincing evidence." They cited this language of one poll: "Now I ask all of you who are (1) undecided and (2) want the question settled by a secret-ballot election and (3) all of you who do not want a union here at Southwire to raise your hands."

AFL-CIO NEWS

POLICE VIOLENCE against striking Steelworkers in Georgetown, S.C., ended with more than a dozen strikers injured, many requiring hospital treatment. The police waded into a march following a strike rally near the Bethel Methodist Church. More than 500 black and white workers have been out on strike since Aug. 15 following the refusal of the German-owned Georgetown Steel Co. to bargain in good faith with the union.

Res and in Labor Org. - South

ICWU Scores Another First

The ICWU, who long has championed the rights of all workers regardless of race, creed or color, has scored still another first with the signing of a new contract with the Cannolene Co., Atlanta, Ga.

The signing makes the ICWU the first union to reach agreement with an all Black company in Atlanta or the State of Georgia.

The plant was organized into ICWU by Representative William Frazier and the contract negotiated by Representative James Hampton. According to Hampton the main feature of the new contract with management is the wage increases. "We were successful in getting the minimum wages for the new ICWU members raised from $1.85 to $2.08 per hour. The average wages for the local's nearly al women workers now rangel from $2.08 to $3.75," Hampton noted.

The new ICWU members at Cannolene are members of Local Union 829. Shown above at the contract signing are, left to right: Betty Perkins, committee member; Mrs. Helen Bevins, committee member; Mrs. Gladys Calhoun, committee member; Representative Hampton, Robert Cannon, Cannolene president; and George Allen, Cannolene vice president. 9-060710

Local 860 LTI Held Feb. 27 In Baltimore

The ICWU Education Department held a Leadership Training Institute the weekend of February 27 in Baltimore, Md., for one of the newest ICWU local unions.

The two-day school, conducted by Education Director J. A. "Tommy" Thomas and Anne Green, education associate, was attended by 12 students from Local 860.

Shown right during one of the sessions dealing with the responsibilities of local union officers are several local students.

Shown on the far left is Local President Michael Koch. The school was arranged by IU Representative Jack Kessler.

57-071828

Union - Organizing South 3-71

A Case Study

Union-Busting In The South

By Michael Pollack

Editor

Wire fence is built around trailer rented by TWUA organizers who refused to vacate after camp owner discovered who they were and ordered them out.

HEMINGWAY, S.C.–". . . The Textile Workers of America wants to give you a sound dose of tranquilizers and turn you into puppets. . . . They want to make it impossible for me to supply you with the means of better production and greater future. . . . I want to make it perfectly clear that legally this company has no obligation to grant the union a single thing. . . . This company has the legal right, if the strike is over wages, hours or working conditions to replace permanently every single person that goes out on strike with no obligation to take them back. . . . This company . . . will never sacrifice one principle that it believes in for the benefit of outside agitators. . . . I must impress upon you that for the good of your and my future that you vote no in the voting booth.

With Very Best Personal Regards

Jack"

The above excerpts are from a letter written to company employees here by John G. "Jack" Wellman, the president of Wellman Industries Inc.

For those who believe that the age of enlightenment has come to labor relations, the vicious anti-union tactics used by Wellman and his allies–which include state and local police, so-called community leaders, town merchants and school and church officials–are a vivid reminder that union organizers in the South still work in the climate of the 1930s when they were viewed as subversives and 'agitators.'

This story of harassment and flagrant violation of the nation's labor law began in early September when TWUA international representatives Tom Barker and R. L. Roper and Industrial Union Dept. coordinator, Harold McIver, arrived in Hemingway to begin preparations for an NLRB election that was scheduled at the plant on Oct. 15-16.

The three union organizers first rented a room at a local motel but were told to vacate immediately when it was learned that they represented TWUA.

After vacating the motel, Roper, Barker, and McIver paid a deposit for a trailer rental at a trailer camp. However, pressure from town officials forced the owner of the camp to order the TWUA organizers to move the trailer from the camp facilities.

This time, the organizers refused to budge and the owner's response was to build a wire fence around the trailer which made access to the highway virtually impossible. (In order to reach the highway, the union organizers had to leap over a wide ditch in front of the trailer.)

South Carolina State Police and local police line highway leading to Wellman plant and refuse to allow employees leaving and entering plant to stop vehicles to accept leaflets from union organizers and in-plant supporters.

Finally, the manager of the trailer camp cut off the water supply to the trailer and three days before the election ordered Barker and Roper to vacate immediately.

Now unable to rent any lodging within or near the town limits, the union organizers, despite constant harassment, refused to vacate and remained at the trailer camp for the duration of the election campaign.

Lodging was not the only problem the TWUA organizers encountered. They also had trouble finding a restaurant in the Hemingway area that would

(*Continued on page 4*)

PAGINATION INCORRECT

Not even the Hemingway church was immune from the anti-union venom generated by the Wellman Company. Notice in church program alerts parishoners to anti-union meeting held at the local high school.

FIRST BAPTIST CHURCH
Edwin R. Quattlebaum, Pastor
Hemingway, S. C.

October 11, 1970

SUNDAY SCHOOL-- V. B. Lawrimore, Supt. -- 10:00 A.M.
WORSHIP SERVICE ---------- 11:00 A.M.

Organ Prelude
Choral Call to Worship
Invocation and Choral Response
Welcome to Visitors and Announcements
Hymn: "I Love to Tell the Story" ---------- 141
Scripture
Prayer
Hymn: "Throw Out the Lifeline" ---------- 217
Worship with Tithes and Offerings
Doxology
Special Music: "I'll Go Where You Want Me to Go" ----
--- Adult Choir
Message: ---------- Rev. Delos Miles
Hymn of Decision: "I Am Praying for You" -------- 232
Benediction
Choral Benediction

EVENING SERVICE

TRAINING UNION -- E. C. Poston, Director -- 6:30 P.M.
WORSHIP SERVICE ---------- 7:30 P.M.

Prelude
Invocation
Announcements
Hymn: "Work for the Night is Coming" ---------- 424
Prayer
Hymn: "Make Me a Blessing" ---------- 432
Worship with Tithes and Offerings
Special Music: ---------- Youth Choir
Message: "To God Be the Glory!" ----- Mr. Tom Brannon
Hymn of Decision: "Jesus Calls Us o'er the Tumult" 360
Benediction
True godliness does not turn men out of the world, but enables them to live better in it, and excites their endeavors to mend it. --- William Penn

ACTIVITIES OF THE WEEK

Sunday	5:30 PM	Junior Choir and Fellowship
	5:30 PM	Youth Choir
Monday	7:30 PM	Prayer Group with Mrs. Jocelyn Lawrimore
		Current Missions Group with Mrs. Betty Poston
		Bible Study Group with Mrs. Betty Quattlebaum
Tuesday	10:00 AM	Mission Action Group with Mrs. Nedo Huggins
	7:30 PM	Deacon's Meeting
	7:30 PM	R. A.'s
Wednesday	7:30 PM	Prayer Meeting---Adult Choir
Thursday	5:30 PM	W.M.U. Annual Ass'n---Olanta

LAST WEEK'S REPORT

Sunday School	-- 298	General Fund -----	$847.36
Training Union	-- 104	Designated Fund --	89.45
		Total Offering ---	$936.81

DECISIONS LAST SUNDAY. My, how our hearts were filled to overflowing last Sunday. We were so happy to welcome the following into the fellowship of our church: by letter, Al J. and Beth Smith (1 & 2) and by baptism Geraldine Benton (3)*. We were also happy for the following Christians who made decisions: Teresa Huggins, Mrs. Bernice Parker, Mark Fenters, Olin Richardson, Mrs. Elsie Hill, and Mrs. Betty Poston. To God be the glory for His marvelous blessings. *(Number of additions since the beginning of our new church year, Oct. 1)

STATE MISSIONS EMPHASIS. Today is State Missions Day in our church. We are indeed happy to have two of our state mission workers with us today. Rev. Delos Miles is from the Bethel Community near Olanta. He is the Secretary of the Department of Evangelism of our General Board of the S. C. Baptist Convention. Mr. Tom Brannon is Director of Public Relations for the General Board. He has done an excellent job of keeping S. C. Baptists before the people of our state. Pray for these men as they speak to our hearts.

OUR GOAL [illegible] RECEIVED [illegible] $970.44
[illegible] NEEDED TO REACH OUR GOAL -- $29.56

IMPORTANT COMMUNITY MEETING. There will be an important meeting for all Adults in this area in the Johnsonville Gymnasium on Monday, October 12, at 7:30 P. M. The meeting will last about an hour. You are urged to attend. Merritt Morris and Jim McCall are in charge of the meeting.

serve them. Only one of the three restaurants in Hemingway found them to be suitable customers.

Organizing activities by TWUA organizers were hamstrung by the interference of local and state police. Police from the nearby town of Johnsonville appeared on the scene despite the fact that Wellman plant is a mile outside the Johnsonville city limits.

When union organizers and pro-union employees attempted to distribute leaflets outside the Wellman plant, police refused to let employees stop their vehicles in order to accept them.

Police officers were stationed along the highway leading to the Wellman plant and the harassment of union organizers distributing leaflets was an everyday occurence.

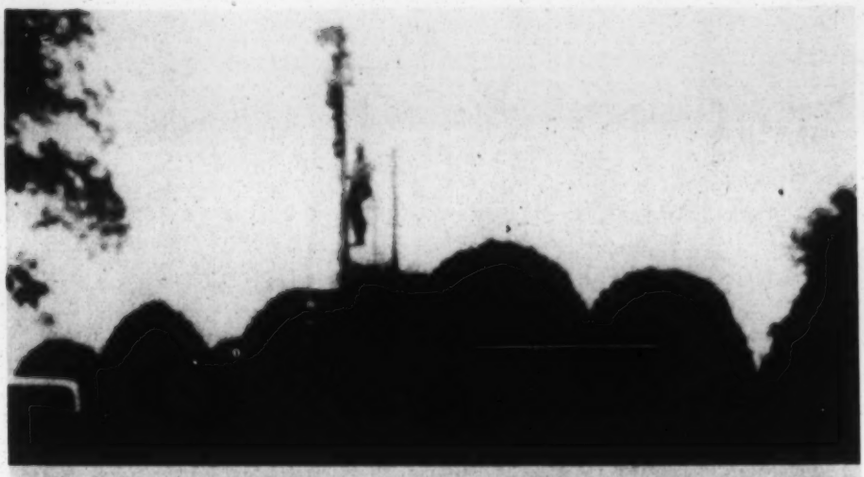
The day after union supporter was fired at plant a "Don't Let The Next Fire Be Yours" notice coincidentally appeared on safety bulletin board outside plant.

When the union attempted to distribute leaflets to the Wellman night shift, the company erected huge spotlights to identify employees who accepted them.

The company then unleashed a constant propaganda barrage aimed at employee intimidation. The day after a union supporter was fired by the company, a "Don't Let The Next Fire Be Yours" notice was plastered on the safety bulletin board outside the plant.

Anti-union venom generated by the Wellman Company even reached the Hemingway school and church.

The Oct. 11 church program for the First Baptist Church of Hemingway advised parishoners that there would be an "Important Community Meeting" for all adults in this area in the Johnsonville Gymnasium on Monday, October 12 at 7:30 P.M. The meeting will last about an hour. You are urged to attend. Merrit Morris and Jim McCall are in charge of the meeting."



Wellman Company erected huge spotlights outside plant to identify employees on night shift who accepted organizing leaflets from TWUA reps.

Merrit Morris is president of the Hemingway Development Corporation, an outfit which attempts to lure industry to Hemingway with promises of a cheap and plentiful labor supply.

Leaflets bearing the same wording and addressed "To All Parents" were distributed to students by teachers at the Hemingway school and the students were urged to make certain that their parents received the notice.

Those parents who attended the "Important Community Meeting" were treated to an array of speeches by 'community leaders' who warned of strikes, violence and loss of jobs if the union was to win the NLRB vote. A National 'Right-to-work' Committee film entitled "And Women Must Weep" was also shown to those in attendance.

Not even the nation's airwaves were immune from the anti-union pressures exerted by Wellman Industries and town officials. A union request for paid broadcast time was refused by the Hemingway radio station, WKYB. After attempting to purchase broadcast time on October 12—two days before the start of the NLRB vote—the union was informed by the station manager that they were "not taking any time or spots for union clients."

As a result of the station's action, the union has filed a formal complaint with the Federal Communications Commission urging that action be taken against the station.

On October 14-15, the NLRB election was held.

Despite the constant barrage of anti-union tactics aimed at destroying the morale of pro-union employees at Wellman, the Union lost by only 22 votes—398-420 with 93 challenged ballots.

As a result of the company's flagrant and repeated harassment of union organizers and Wellman employees, TWUA has filed a $100,000 damage suit in Williamsburg County Court which is still pending.

Named as defendants were Hemingway Mayor L. Durwood Lewis and Councilmen Edwin Huggins, Carroll Morris, Cecil Ratcliffe and Keith Gordon.

The suit charges city officials with "having aided and abetted each other to interfere with and intentionally and illegally deny" the union its legal rights.

TWUA has also filed unfair labor charges with the National Labor Relations Board urging that the election be set aside and a new election directed "because actions of the company and other persons and groups acting as agents for the company would show:"

- Repeated pressure by persons or groups not themselves involved in the election which created fear of job loss, violence and other trouble.
- Community leaders, churches and schools had advertised and invited Wellman employees, their families and other adults in the area to attend anti-union meetings held at the Johnsonville High School Gymnasium.
- At these meetings community representatives made speeches about strikes, violence and loss of jobs if the union should be elected as bargaining representative.
- School teachers in the area talked to their children about strikes and violence.
- A Wellman plant guard told union committeeman he would have them locked-up for passing out union leaflets.
- Employees were told that if the union was elected they could not buy anything on credit from town merchants.
- The company restricted pro-union employees from carrying on union activities in the plant. At the same time, they allowed anti-union employees, while on the job, to solicit employees away from the union.
- The company and agents of the company threatened the employees with plant closure if the union was elected.

(Continued on page 19)

To All Parents:

There will be a most important meeting for all adults in the area in the Johnsonville Gymnasium on Monday, October 12, at 7:30 P.M.

The meeting will last about an hour. We urge you to attend.

Sincerely

Merritt Morris

Jim McCall

Notice addressed "To All Parents" and distributed to school children by teachers advertised Wellman anti-union meeting.

Rope and Cordage Sets Import Drive

NEW YORK — Representatives of TWUA's Rope and Cordage locals met at International headquarters here last month to discuss problems in the industry and map plans for upcoming contract negotiations, according to J. Harold Daoust, director of the Rope and Cordage Division.

Keir Jorgensen of the union's Research Department gave a report on current conditions in the industry to delegates attending the conference.

Delegates also took action on the threat of rising imports by endorsing a motion urging the International union to continue its fight for import quota legislation and calling for circulation of petitions among Rope and Cordage local members to be signed and mailed to their congressmen.

New Import Quota Bill Introduced by Rep. Mills

WASHINGTON — Renewed efforts to stem the tide of cheap imported textiles got off to an early start in the 92nd Congress with the introduction at the opening session of the House of a new import quota bill by Rep. Wilbur D. Mills (D-Ark.), chairman of the Ways and Means Committee.

The night before he took the action, Mills told an audience of businessmen in Charlotte, N.C., that a healthy and growing U.S. textile industry is of vital importance and unless the Japanese reach voluntary agreements with the Nixon Administration "there will be a textile quota law."

"Last year I said the textile industry and the jobs of its employees would not be permitted to go down the drain and that Congress would take care of the problem and legislate a solution if an orderly international agreement could not be worked out," Mills said.

He added that House passage of his bill last year was proof that Congress meant business even though it was sidetracked in the Senate after being tacked onto pending Social Security legislation in the pre-adjournment rush.

"Let the word go out from here," the Arkansas lawmaker declared, "that we still mean business and will legislate a solution if present negotiations with Japan fail to provide a fair and satisfactory agreement to limit textile imports."

Unlike its predecessor, which would have become effective on Jan. 1 of the year following its passage, Mills' new trade bill contains a clause making the law effective upon enactment.

Otherwise, the new measure is substantially similar to the old one. The same three-year base period of 1967 through 1969 would be used to establish quotas to be imposed through July, 1976 when the restrictions would end. If necessary, the President could then choose to extend them.

Commenting on probable Senate reaction to the new bill, Sen. Everett Jordan (D-N.C.) said he didn't think there was "any question" that it could be passed.

Discussing goals at recent Celanese Advisory Council talks in Washington are (l-r) Bobby Fox, president of Local 689 in Rome, Ga.; W. E. Brooks, business agent; TWUA Int'l representative Jim O'Shea.

Reform of U.S. Labor Laws Key to Union-Buster Curb

(*Continued from page 5*)

- Supervisors intimidated employees by questioning them as to:
  - a. How they intended to vote.
  - b. When and where union meetings were held.
  - c. Who attended the meetings.
  - d. What was discussed at the meetings.
- Supervisors house-called employees.

In addition, five Wellman employees were discharged for union activities and TWUA is demanding their reinstatement.

An NLRB hearing on the union's charges scheduled for February 9 was postponed and a new hearing date of March 9 has been set.

The tactics employed by Wellman Industries are not new to TWUA organizers in the South. They have encountered them at J. P. Stevens, at Darlington, at Kayser-Roth and will continue to encounter them as long as the nation's labor laws allow union-busters to hide behind a legal apparatus which should be punishing violators instead of shielding them.

Reform of the National Labor Relations Act providing for stiff penalties for violators is urgently needed and the drawn-out legal process which allows anti-union companies to flout the law with impunity must be revised to provide immediate justice for those whose rights have been violated.

The Wellman story is far from over. A union meeting held almost immediately after the election was well-attended despite the Wellman fear campaign and TWUA has promised employees that "we are going to stay until justice prevails for all Wellman plant employees."

PAGINATION INCORRECT

Union, Organizing - South

WALL STREET JOURNAL
April 13, 1971--Tuesday
Staff Reporter---Neil Maxwell

VOL. CLXXVII NO. 71

Rocking the Boat

Campaign to Unionize Textile Plant Splits Sleepy Southern Town

Labor Charges Harassment; Business Fears High Pay Could Ruin Local Economy

No Room for the 'Agitators'

By NEIL MAXWELL
Staff Reporter of THE WALL STREET JOURNAL

JOHNSONVILLE, S.C.—This sleepy Southern town took school integration in its stride. It scarcely winced when the tiny local library stocked "Portnoy's Complaint." But to hear town elders tell it, Johnsonville now faces a *real* menace: unions.

Last year, the Textile Workers Union of America sent a pair of organizers—one white, one black—to unionize Wellman Industries Inc., a textile producer that is by far the area's largest employer. The battle that has split this town ever since throws light on the state of union organizing that still exists in much of rural Dixie. It's a far cry from conditions that businessmen face in Northern cities.

When union organizers distribute leaflets to workers, police cars suddenly park nearby. A worker claims he was fired for wearing a union sticker on his shirt. The bulletin of the First Baptist Church in nearby Hemingway prints invitations to anti-union rallies. And the local school system at one point distributed anti-union notices in classrooms for children to take home.

Lagging Wages

The whole town is involved because the whole town thinks its future may be at stake. Nonsense, reply union men. Without unionization, this town of 900 will always be a low-income place, the union men say. They claim Wellman wages, ranging from $1.73 to $2.49 an hour, average $2.20 an hour. (The company says the average is around $2.40.) In any event, this average is considerably below national factory pay and even below the $2.55 to $2.79 hourly wages that unionized textile plants in the state pay, union men say.

But with growing competition from cheap foreign textiles, Wellman says it can't boost wages dramatically. Indeed, rising costs and tougher foreign competition are bankrupting many textile plants and thus stranding textile towns like this one.

Business leaders note that it was largely low labor costs that attracted Wellman here from the highly unionized Boston area back in 1954. Could the company move again? "I was afraid Wellman would go to Mexico or Europe or someplace and leave Johnsonville dead like it was before they came here," says Jim McCall, operator of a heating and air conditioning business here and a former union man himself.

At Wellman itself, the race has been neck and neck. In the first representation election, Wellman workers last October voted against unionization—but by 420 votes to 398. The fight may reach a climax soon. Today the National Labor Relations Board will hold hearings to determine whether six Wellman workers were fired illegally for favoring the union. The union hopes the board not only will reinstate the workers with back pay but also will order a new election.

"Go-Go-Go TWUA"

In one of the cases, the company says it fired Jerry Bruce for posting pro-union stickers in the canteen area, a clear violation of rules. But all that is a misunderstanding, says Mr. Bruce. "All I was doing was wearing a 'Go-Go-Go TWUA' sticker on the back of my shirt," he says. He claims the company also wronged him by taking him off his regular job of wool finisher. "They put me to cleaning floors," he says. "I figure they were trying to dishearten me. I never saw a white boy doing that job—except me."

Even if the NLRB doesn't order a new election immediately, another is expected next October. In any event, the union plans a meeting next Sunday to launch a revitalized organizing drive.

Meanwhile, the alleged harassment continues. Indeed, union men say there has been one "misunderstanding" after another ever since the two organizers arrived and checked into the Coachman Inn, the only motel in Hemingway. The organizers say that as soon as the motel management found out who they were, they were told to vacate.

But that's a misunderstanding, says Merritt Morris, largest stockholder in the motel and undertaker for Hemingway's whites. (Blacks and whites here go to school together, but still get buried separately.) "We knew who they were when they registered; we even gave them a commercial rate," says Mr. Morris in the hushed parlor of his funeral home. He claims the white organizer left of his own accord after 10 weeks and the black one was asked to leave after six weeks because he repeatedly violated rules, such as the one against making telephone calls after 11 p.m.

Then the organizers bought a trailer and parked it just outside Hemingway. But the city refused to let them hook up to the water system. The organizers hooked up anyway. Then the city unhooked the pipe. The organizers promptly hooked up again. Finally the city hauled the water meter and the pipe away.

So the organizers filed a $100,000 suit against the mayor and five councilmen, charging harassment. But city officials say there's no harassment at all. It's just that the city has a water shortage, the trailer was outside city limits, and no new connections are being permitted in such cases, they claim. So the city filed charges against the organizers for violating a state law against hooking onto a water system illegally.

Then the owner of the land that the organizers rented to park their trailer soured on his tenants. "I'm a union man myself," he says. "But I never heard of union organizers doing any good by going into a place and stirring up trouble." So the owner ordered the organizers off the land immediately. The organizers refused to leave right away. So the angry owner built a fence around three sides of the trailer. Thus the only access to the trailer involved walking through a ditch. (The organizers moved to another town.)

Some local businessmen have fought the union nearly as enthusiastically as has Well

Turn to Page 21, Column 1

Rocking the Boat: Unionization Bid Splits Sleepy South Carolina Town

Continued From First Page

man itself. Mr. McCall, the heating man, and Mr. Morris, the undertaker, sponsored an anti-union rally in the school gymnasium. (Mr. Morris was on the school board at the time, but he claims the gym is available for any group.) Over 200 citizens attending the meeting heard a number of speeches vigorously denouncing the union and watched a film called "And Women Must Weep." The movie depicted union strike violence in Henderson, N.C., another textile town.

The union-management fight itself has also been acrimonious. Just in case Wellman workers were thinking of a strike, the company made its position clear: "All those who went out could be permanently replaced at the end of the strike. They would have no job and would not be entitled to any lost wages."

Since the organizing drive started, the company has erected powerful searchlights outside the plant. Union backers claim the lights are there largely to help identify workers who accept union literature as they drive in for the night shift.

Union men also claim it is a clear attempt at intimidation when police cars show up during a distribution of union literature.

Gary Cooper, the Johnsonville police chief, says that is all a misunderstanding. He concedes the plant is outside his police jurisdiction, but he says: "We were more or less just spectators. I pay highway taxes just like anybody else, so I got as much right out there as anybody else." Observers say it is only natural for the chief to take an interest in happenings at the plant, as his boss, the mayor, is on the plant security force.

The searchlights and police cars contribute to the high-security atmosphere at the plant. A high chain link fence topped with barbed wire surrounds the premises, and big gates block the entrances. As a visitor drives up to the guardhouse, a uniformed security agent puts down his copy of "Passion for a Price" to check the stranger's credentials. Only when the outsider is identified and his destination determined does the guard press a button to raise the gate.

Wellman executives also keep themselves generally closed off from the press. One of the few things they will tell a reporter is that they think reporters have given the company a bad press. They particularly dislike "Listening to America," a new book by Bill Moyers that has a chapter on Johnsonville.

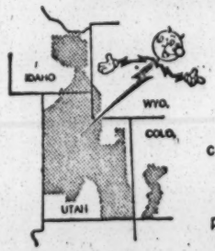
Despite all this, many here consider John Wellman, the company president, an excellent employer and citizen. Paradoxically, the heavily guarded plant is a beautifully landscaped modern structure. Working conditions are better than in many Southern plants. The company has recently appointed two black supervisors. This may not sound like much, but it is a change in a town that still has service station restroom doors marked "white" and "colored."

Mr. Wellman enthusiastically boosts—and contributes to—various causes to improve the area. He sold land at a cheap price for a low-income housing project. When told that many of the new residents came from the tobacco and soybean farms in the area and were used to large vegetable gardens, he donated a half-acre of land for each tenant.

But union supporters charge "paternalism." And they point out that some Wellman workers earn so little, even working full-time, that they qualify for federal rent supplements.

There's

Power to Spare in the Mountain West



There is adequate power now, adequate low-cost fuel now, and construction of plenty of additional generating capacity is underway.

Also...we have strong interconnections with huge power pools in other areas—just in case.

The Folks at UTAH POWER & LIGHT CO.

A Growing Company in the Growing West

Extracted from DOCUMENT AND REFERENCE TEXT 1967
prepared by the Research Division, Institute of Labor & Industrial Relations, The University of Michigan, Wayne State University
Produced for The Equal Employment Opportunity Commission

State Agency Employment Practices

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Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

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Memo - 20

~~ROUGH D R A F T~~

March ~~11~~ 24, 1969

M E M O R A N D U M

TO: WHOM~~EVER~~ IT MAY CONCERN

FROM: EMORY F. VIA, Southern Regional Council, Inc. 5 Forsyth St - - - -

RE: GRADUATE STUDY OPPORTUNITIES IN ECONOMICS AND INDUSTRIAL RELATIONS FOR MINORITY STUDENTS

I have recently had contact with ~~Professor~~ James Stern, Professor of ~~in the~~ Economics and ~~Department of the University of Wisconsin. Professor Stern is also~~ Chairman of the Industrial Relations Research ~~Center~~ Institute at the University of Wisconsin.

Financial assistance in the neighborhood of $3,000 is available to qualified Negro students interested in graduate study in Industrial Relations or Economics. ~~The amount available per student is in the neighborhood of $3,000~~. Such students would be expected to work part-time as either research or teaching assistants.

The University's normal deadlines for application have been waived. ~~Where needed~~ courses in composition and other ~~basic areas where~~ remedial work ~~may be required~~ will be offered free. ~~Also if~~ Tutoring in the substantive courses (economics and/or industrial relations) will be offered where needed free of charge.

The University is interested in getting "qualified" students. I take this to mean ~~a serious interest in the~~ they will look at potential of a graduate student and ~~willingness to~~ be ~~quite~~ lenient regarding formal requirements.

I would be happy to have information on any student interested in these areas whom you feel may be qualified. Of if you prefer, write to Professor Stern direct. The academic reputation and performance of the Economics Department and the Industrial Relations ~~Center is~~ Institute are excellent.

EFV/km

Talladega
Miles
Clark
Morris Brown
Morehouse
Spellman
Tuskegee

Heffner
Sam Cook

Labor Program Activities - 1969

TWUA Staff — 1/30-2/1/69

Mordecai Johnson on program 1/31/69 for approx. 2 hours plus extended informal social time — how union reps can relate to Negro community and action — by Labor Program

$50.00 honorarium — Expenses paid by TWUA —

E. Via 2 hours 2/1/69 on pol. developments in South & esp. an interpretation re. why politics and need for fundamental pol. ed. by unions. SRC bore expense; contact face of TWUA's Hayman participation in Fellowship of Concerned meeting.

Labor Program Activities — 1969

JOHN H. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
PAUL R. CHRISTOPHER, VICE-PRESIDENT
CHARLES G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
RAYMOND M. WHEELER, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

February ~~13~~ 3, 1969

Mr. Mordecai C. Johnson
P. O. Box 743
Florence, South Carolina

Dear Mordecai:

Enclosed is an honorarium for your teaching stint in Greensboro with the Textile Workers Union staff. I heard only good reports and for the right reasons. I am especially pleased that you were able to stay beyond your session and have a good bit of informal time with these men.

If you have any special reactions to the sessions in Greensboro I would be happy to hear them.

Over

Sincerely,

Emory

Emory F. Via
Director
Labor Program

EFV/km

Enclosure

No special reactions.

I suspect mine would probably square pretty well with yours.

I think the Conference was good for all Concerned. The participants' levels of civil rights development varied from swingers, Circa 1969 to what might be called Swingers Circa 1869.

It was especially good from my own "contacts" point of view to meet and commune with TWUA's National level people (Sol Stein swings, circa 1969 -- even if he did dominate my session) the Regional level (Scott Hoyman -- little to my surprise) and the South Carolina people, with whom I hope to deal.

I chuckled at your reference in the letter to Mine at a "teaching stint" but then I guess that's what it amounted to in large part.

The Money comes in handy. Methinks it represents probably a desk chair, No? (:)

Mordecai

WILLIAM POLLOCK
General President

SOL STETIN
General Sec'y-Treas.

TEXTILE WORKERS UNION OF AMERICA

P. O. Box 9218

2121 Commonwealth Ave., Room 215, Charlotte, N. C. 28205

Phone: 376-7521

January 10, 1969

SCOTT HOYMAN
Southern Director

TO ALL ADMINISTRATIVE STAFF

Greetings:

This is a follow up to my letter of December 12th re conference for January 30th through February 1st.

The conference will be held at the Kings Inn, 1103 N. Elm Street, Greensboro, N. C. The conference will begin at 1:00 P. M. on Thursday, January 30th. We have scheduled an all day meeting on Friday, January 31st, beginning at 9:30 A. M. On Saturday, February 1st, the conference will start at 9:30 A. M. and we expect to adjourn by 12:30.

Reservations have been made for you at the Kings Inn. We have guaranteed same and therefore must know if you plan to use the accommodations at Kings Inn. Please advise my secretary, Helen Hill, no later than Monday, January 20th, of your plans. If we have not heard from you by that date we will cancel your reservation at the motel and you will then have to make your own arrangements.

I am looking forward to an interesting and successful conference.

Fraternally yours,

Scott Hoyman

Scott Hoyman
Southern Director

cc: Pollock
Stetin
Jordan
Perkel

Mordecai Johnson —
Friday 1:30 PM
for up to 2 hours. Thirty minute presentation, then give and take.

MEMORANDUM TO:

HERMAN LONG _ TALLADEGA

VIVIAN HENDERSON - CLARK COLLEGE

JIM HEFFNER - CLARK COLLEGE

MR. JAMES SCHILLER - A U.

MISS HALVORSEN - SPELLMAN COLLEGE

DR. E. B. WILLIAMS - MOREHOUSE

_____ _ MORRIS BROWN

file copy

March 24, 1969

M E M O R A N D U M

TO: WHOM IT MAY CONCERN

FROM: EMORY F. VIA, SOUTHERN REGIONAL COUNCIL, INC.
5 Forsyth Street, N. W., Atlanta 30303

RE: GRADUATE STUDY OPPORTUNITIES IN ECONOMICS AND INDUSTRIAL RELATIONS FOR MINORITY STUDENTS

* * *

I have recently had contact with James Stern, Professor of Economics and Chairman of the Industrial Relations Research Institute at the University of Wisconsin.

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The University is interested in getting "qualified" students. I take this to mean they will look at the potential of a graduate student and be lenient regarding formal requirements.

I would be happy to have information on any student interested in these areas whom you feel may be qualified. Or if you prefer, write to Professor Stern direct. The academic reputation and performance of the Economics Department and the Industrial Relations Institute are excellent.

EFV/km

Cabbagetown Survey
Summer, 1969

Name of Interviewer_____

Date of Interview _____

Address of Interview_____

I am helping to make a study of Cabbagetown and would like to ask you a few questions in order to learn more about the strengths and needs of the community. Your answers will be kept strictly confidential and will not be used against you in any way. I am not going to take your name or any other personal identification.

TO BE COMPLETED BY INTERVIEWER FROM OBSERVATION:

1. What is the sex of the person you are interviewing? (1)_____male
(2)_____female

2. What is the address of the person you are interviewing?
(1)_____Cabbagetown
(2)_____outside C-town

QUESTIONS INTERVIEWER SHOULD ASK:

1. How long have you lived in this house?

(1) ____ less than 1 year
(2) ____ 1 to 2 yrs.
(3) ____ 3 to 5 yrs.
(4) ____ 6 to 10 yrs.
(5) ____ 11 to 15 yrs.
(6) ____ 16 to 20 yrs.
(7) ____ 21 to 25 yrs.
(8) ____ 26 yrs. or more

2. Where did you live before moving to this house?

(1) ____ in Cabbagetown (for respondents now living outside Cabbagetown)
(2) ____ another address in Cabbagetown
(3) ____ another address in Atlanta (specify section)_____
(4) ____ outside Atlanta (specify town or county and state)_____
_____

3. Do you own or rent your house?

(1) ____ own
(2) ____ rent

4. a. Including yourself, how many persons live in this house (household)?
_____

b. How many persons living in your house are:

(1) ____ 18 yrs. old or over
(2) ____ under 18 yrs.

5. Which one of these age groups are you in? (SHOW CARD)

(1) ____ 15-19
(2) ____ 20-24
(3) ____ 25-34
(4) ____ 35-44
(5) ____ 45-54
(6) ____ 55-64
(7) ____ 65 and over

6. What is your marital status? (LIST ALTERNATIVES)

(1) ____ single
(2) ____ married
(3) ____ separated
(4) ____ divorced
(5) ____ widowed

7. What was the last grade of school you completed? _____

****

8. a. There are a number of social service centers in Cabbagetown. Does any member of your family use the services of any of these centers: (SHOW CARD)

(1) ____ Fulton Health Co-op Center, Berean Ave. (Clinic)
(2) ____ Savannah Street Neighborhood House, Savannah St.
(3) ____ Salvation Army, Carroll St.
(4) ____ East Central Neighborhood Center, Decatur St.
(5) ____ Baptist Stewart Good Will Center, Stovall and Flat Shoals
(6) ____ Other. Name _____
(7) ____ None

b. (IF ANY USED, ASK:)

What do you think of the centers that your family uses?

	Good	Poor	Don't Know
(1) Fulton Health Co-op Center.....	____	____	_____
(2) Savannah St. Neighborhood Center...	____	____	_____
(3) Salvation Army.....	____	____	_____
(4) East Central Neighborhood Center...	____	____	_____
(5) Baptist Stewart Good Will Center...	____	____	_____
(6) Other. Name _____....	____	____	_____

c. (IF ANY NOT USED, ASK:) Is there any special reason your family doesn't use _____ (Any of them)?

(IF "POOR," ASK:) What is there about_____that you don't like?

****

9. a. Do you have a job? (IF YOUNG PERSON ASK, "DOES YOUR FATHER HAVE A JOB?")

(1) ____ yes, full-time
(2) ____ yes, part-time
(3) ____ no, but looking for a job
(4) ____ no, not looking for a job

b. (IF WORKING, ASK:) What kind of job(s) do you (does your father) have?

c. Where do you (does your father) work? (Name of company, agency, etc.)

10. a. Does your (wife, husband) have a job? (IF YOUNG PERSON ASK, "DOES YOUR MOTHER HAVE A JOB?")

(1) ____yes, full-time
(2) ____yes, part-time
(3) ____ no, looking for a job
(4) ____ no, not looking for a job

b. (IF WORKING, ASK:) What kind of job(s) does (she, he) have?

c. Where does (she, he) work? (Name of company, agency, etc.)

11. (OMIT IF ONE OR BOTH WORKING) If neither you nor your (wife, husband, father, mother) is working, what is your source of income?

12. Considering the income of all the persons who live at home what would you estimate was your family income last year? (from all sources) (SHOW CARD)

(1) ____ under $1000
(2) ____ $1000-1999
(3) ____ 2000-2999
(4) ____ 3000-3999
(5) ____ 4000-4999
(6) ____ 5000-5999
(7) ____ $6000-6999
(8) ____ 7000-7999
(9) ____ 8000-8999
(10) ____ 9000-9999
(11) ____10,000-15,000
(12) ____ over 15,000 Specify:_____

****

13. a. What church are you a member of?

1) Name_____ Location_____

2) _____ not a member

3) _____attending different church than member of.

Name_____

b. (IF DENOMINATION IS NOT EVIDENT, ASK WHAT DENOMINATION)

1)_____

2)_____ independent

c. (IF RESPONSE "NOT A MEMBER," ASK) Do you attend a church?

1) _____

2) _____ do not attend

d. (IF "NOT A MEMBER" AND "DO NOT ATTEND" ASK:) What part do you think the churches play in your community?

(IF "NOT A MEMBER" AND "DO NOT ATTEND" GO TO QUESTION 25a)

14. How long have you been (a member of, attending) your church?_____
_____

15. How often do you attend services at your church?(____MEMBERSHIP CHURCH)
(____ATTENDING CHURCH)

(1) ____ 2-3 times a week
(2) ____ once a week
(3) ____ 2 times a month
(4) ____ once a month
(5) ____ 5-6 times a year
(6) ____ 1-2 times a year
(7) ____ never

16. What do you like about your church?

17. Is there anything you don't like about your church?

18. In addition to your Sunday morning, Sunday evening, and midweek service, does your church have any of the following activities? (GIVE SHORT DESCRIPTION OF EACH MENTIONED)

(1) ____ recreation

(2) ____ education (other than religious, eg. Adult Ed., Tutoring)

(3) ____ welfare (e.g., clothing, food, Xmas baskets)

(4) ____ old people's groups

(5) ____ young people's group

(6) ____ suppers, picnics

(7) ____ other. Specify:

19. How many of these activities do you participate in?

	Good	Poor	Don't Know
(1) ____recreation.....	____	____	____
(2) ____education.....	____	____	____
(3) ____welfare.....	____	____	____
(4) ____old people's group.....	____	____	____
(5) ____young people's group.....	____	____	____
(6) ____suppers, picnics.....	____	____	____
(7) ____other.....	____	____	____
(8) ____none.....	____	____	____

20. What do you think of the activities you participate in? (COMPLETE ABOVE)

21. (IF ANSWER IS "POOR" ASK:) What is there about the _____ activity that you don't like?

22. a. Have any Negroes ever attended any of your services? (1)____ yes
(2)____ no

b. (IF YES) Has this created any particular problem?

23. How do you think most members would feel about having Negroes attend your church?

24. Is this the way you feel?

****

25. a. There are many preachers who broadcast on the radio. Do you ever listen to religious radio programs?

(1) ____ yes
(2) ____ no

b. (IF YES) What religious programs do you listen to? How often?

		Regularly	Sometimes
1)	_____	_____	_____
2)	_____	_____	_____
3)	_____	_____	_____
4)	_____	_____	_____
5)	_____	_____	_____

****

26. (ASK ONLY IF RESPONDENT HAS CHILDREN) Where does your child (do your children, brother, sister, etc.) attend school?

	Good	Fair	Poor	Don't Know
_____	____	____	____	____
_____	____	____	____	____

27. How would you evaluate the school(s) he (she,they) attend(s)? (COMPLETE ABOVE)

28. Is there any particular problem with the school(s) your child (children) attend(s)?

29. (Is,are) the school(s) he (she,they) attend(s) integrated?

(1) ____ yes

(2) ____ no

30. (IF YES) Has integration created any particular problem?

****

31. Do you ever listen to any of the following radio programs:

	Regularly	Sometimes	Never
(1) Carl McIntyre (20th Century Reformation Hour)	____	____	____
(2) Billy James Hargis (Christian Crusade	____	____	____
(3) Edgar Bundy (Church League of America	____	____	____
(4) H. L. Hunt (Life Line)	____	____	____
(5) Clarence Manion (Manion Forum)	____	____	____

32. Do you ever listen to programs on any of the following radio stations?

	Regularly	Sometimes	Never
(1) WGUN	____	____	____
(2) WAVO	____	____	____
(3) WYZE	____	____	____

File

Labor Program
Galveston, Texas

TENTATIVE PROGRAM

1968 ADVANCED SOUTHERN LABOR SCHOOL
Flagship Hotel, Galveston, Texas
November 17-22, 1968

Sunday, November 17

4:00 p.m.	Registration
6:30 p.m.	Dinner
	Speaker: Honorable Ralph Yarborough, U. S. Senator

Monday, November 18

9:00 a.m.	"Economic Issues Under The Nixon Administration" Marvin Friedman, Asst. Director, AFL-CIO Research Department
1:30 p.m.	"Building Stronger State AFL-CIO Bodies" William Becker, President, Arkansas State AFL-CIO Roy Evans, Secretary-Treasurer, Texas State AFL-CIO William Clitheroe, Education Director, International Association of Machinists Herrick Roth, President, Colorado State AFL-CIO -- Invited

Tuesday, November 19

9:00 a.m.	"Facing The Welfare Issue With Our Members" Emory Via, Southern Regional Council, Inc.
2:00 p.m.	Boat Trip

Wednesday, November 20

9:00 a.m.	"Poverty-Labor Training Programs" George T. Guernsey, Asst. Director, AFL-CIO Department of Education Earl Williams, University of Houston Edgar Berlin, OEO Labor Liaison James Nelson, AFL-CIO Appalachian Council -- Invited
2:00 p.m.	"The Memphis Sanitation Strike" Edward Stanfield, Southern Regional Council, Inc.

Wednesday, November 20 (cont.)

New Films

1) "Hunger In America"
2) "Remedy For A Riot"

7:30 p.m. "Do Not Fold, Staple, Spindle or Mutilate"
New copper strike film produced by United Steel Workers

Thursday, November 21

9:00 a.m. "Outreach Programs"
E. T. Kehrer, Chairman
Ernest Green, Workers Defense League
Robert McGlotten, AFL-CIO Civil Rights Department

1:30 p.m. "The 1968 Election"
Nicholas Chriss, Los Angeles Times
Don Ellinger, International Association of Machinists
Walter Davis, Director, AFL-CIO Department of Education
Dan Powell, COPE Area Director
Barbara Jordan, State Senator, Texas

Friday, November 22

9:00 a.m. "The 1968 Election" (cont.)
Don Ellinger, International Association of Machinists
Ronnie Dugger, former Editor Texas Observer

Luncheon - Graduation

Speaker: H. S. "Hank" Brown, President, Texas State AFL-CIO

2:30 p.m. Adjournment

File

AFSCME

But put a copy in
Labor Program Commentator
file.

JAN 25 1971

American Federation of STATE, COUNTY, and MUNICIPAL EMPLOYEES · AFL-CIO

1155 FIFTEENTH STREET, N.W./WASHINGTON, D. C. 20005
TELEPHONE 202/223-4460

January 19, 1971

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Emory:

The copies of "Know Your Rights" arrived right on time. Many thanks as I know they will be useful for the staff interns we are now training. Larry Rogin was right when he said that you could and would help us with this problem.

Best regards,

John K. Sloan
Deputy Coordinator of Staff Training

JKS:ddp

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PRESIDENT

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World Press Institute

February 23, 1971

FEB 26 1971

Dr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia

Dear Dr. Via:

My sincere appreciation for your effort on behalf of the World Press Institute during our recent visit to Atlanta.

Your comments on the political, social, and economic situations in Atlanta and the South as a whole did much to pull all our impressions and information together.

My warmest thanks for your interest in the World Press Institute.

Sincerely,

Joe Huttie ss

Joseph J. Huttie, Jr.
Program Director

JJH:ss

Macalester College Saint Paul, Minnesota 55101 Telephone (612) 647-6310 Cable: WORLDPRESS

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Dr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia

FEB 2 - 1971

Labor Program
Commendation

SOUTH CAROLINA COUNCIL ON HUMAN RELATIONS

May 25, 1971

JUN 1 1971

Dr. Emory Via
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Emory:

Just a note to say thanks for your fine presentation this past Saturday. Our prospective Board members seemed to be very interested in what you had to say, as was I, and it was very helpful.

Should you want to pursue the consultant discussion with the director of the Governor's Advisory Commission on Human Relations, his name is George Hamilton and his telephone is (803) 758-3261.

Take care.

Sincerely,

Paul

Paul W. Matthias
Executive Director

PWM:mgg

1420 Lady Street / Columbia, South Carolina 29201 (803) 252-3651

Food For All, Inc.

2875 E. Sky Harbor Blvd. — Suite 201
Phoenix, Arizona 85034
(602) 273-1658

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Chairman

Grace Olivarez, Esq.
Executive Director

JUN 10 1971

Labor Program — Commendation/Publicity

June 3, 1971

Mr. Emory Via and
Mr. James Woods
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Friends:

It was a pleasure to visit with you during my recent trip to Atlanta. I hope this is only the beginning of a fruitful and active relationship between our organizations.

We are studying the materials you provided and incorporating them into our library. Pictorial information was especially valuable.

I will be writing to the local NWRO chapter and food cooperative to follow up on our visit with them. The contacts you supplied in Florida were valuable.

We understand there is a possibility that Dr. Wheeler will be invited to a nutrition meeting in Arizona during the next few months. We hope he is available. It would be a pleasure to meet him.

Thank you for your time and assistance. We expect to be in touch with you in the next few weeks concerning some area situations and the new food stamp regulations.

Sincerely,

Richard Bartholomew

Richard J. Bartholomew
Field Director

RJB:lg

P.S. Could you send us some contacts in Mississippi and Alabama?

Affiliate Council Members

ALASKA FEDERATION OF NATIVES
1689 C Street
Anchorage, Alaska 99501

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN
2800 N. Sheridan Road
Chicago, Illinois 60657

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Washington, D. C. 20036

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Philadelphia, Pa. 19103

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Washington, D. C. 20036

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New York, N. Y. 10017

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Seventeen Ninety Broadway
New York, N. Y. 10019

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Washington, D. C. 20036

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Chicago, Illinois 60637

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New York, N. Y. 10003

NATIONAL TUBERCULOSIS AND RESPIRATORY DISEASE ASSOCIATION
1740 Broadway
New York, New York 10019

NATIONAL URBAN LEAGUE
55 East 52nd Street
New York, N. Y. 10022

PLANNED PARENTHOOD WORLD POPULATION
515 Madison Avenue
New York, N. Y. 10022

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5 Forsyth Street, N. W.
Atlanta, Georgia 30303

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44 East 23rd Street
New York, N. Y. 10010

UNITED COMMUNITY FUNDS AND COUNCIL OF AMERICA
345 East 46th Street
New York, N. Y. 10017

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475 Riverside Drive
New York, N. Y. 10027

UNITED PRESBYTERIAN HEALTH, EDUCATION & WELFARE ASSOCIATION
123 West Madison Avenue
Chicago, Illinois 60602

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New York, N. Y. 10027

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Washington, D. C. 20005

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Tulsa, Oklahoma 74102

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Chicago, Illinois 60610

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Labor Program - Commendation

JUL 20 1972

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Tel. 659-4463 Area Code 404

SAM MASSELL, MAYOR

GEORGE J. BERRY, Chief Administrative Officer
MRS. NORMA DAY, Executive Secretary

July 18, 1972

Mr. Emory Via
Southern Regional Council
52 Fairlie Street, N. W.
Atlanta, Georgia 30303

Dear Emory:

Permit me to thank you for serving as an instructor in our training program last week. I am pleased to report three or four participants suggested more time be allocated for human relations in future courses. We are making progress!

With all good wishes and warm personal regards.

Sincerely,

Joel

Joel J. Gay
Director of Labor Relations

JJG:vl
cc: Mr. Franklin Thomas, Director
Personnel Department

ATLANTA, NEW INTERNATIONAL CITY

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GEORGE H. ESSER, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

July 26, 1972

Mr. Emery Via
Southern Regional Council
52 Fairlie Street
Atlanta, Georgia

Dear Emery:

In a time of great strife, confusion, disunity and violence, few men have the will and energy to work in an effot to make things better; even fewer believe they can.

The participants and staff of "Institute 72", extends our heartfelt thanks to you and the many other resource persons who came and shared their knowledge with us.

You have helped to re-instill in us an ideal belief that "there is a light at the end of the tunnel." Thanks again.

Also, upon completion of all published materials from the institute, they will be forwarded.

Nia,

Leon Butch Jimmie

Leon, Butch, Jimmie

/apg

Commendation

MAY 15 1972

THE FIELD FOUNDATION
100 EAST 85TH STREET • NEW YORK, N.Y. 10028
212/535-9915

May 12, 1972

Mr. Emory F. Via, Acting Co-Director
Southern Regional Council, Inc.
52 Fairlie Street, N.W.
Atlanta, Ga. 30303

Dear Emory:

Thank you for sending me the annual report and your auditor's report. The annual report describes some very impressive work and you can take a good bit of satisfaction from it.

Sincerely,

Leslie

Leslie Dunbar

/la

File A Philip Randolph Inst.

Copy to Labor Program — Commendation

A. Philip Randolph Institute

260 Park Avenue South
New York, N.Y. 10010
(212) 533-8000

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E. R. McKinney
Assistant to the Executive Director

Emma Thomas
Controller

September 6, 1973

Mr. Emory Via
Southern Regional Council
52 Fairlie N.W.
Atlanta, Georgia 30303

Dear Emory:

This is just a note to thank you for serving as workshop leader at the recent Randolph Institute conference in Mississippi.

I know I don't have to tell you how important your participation and expertise is to the development of strong Institute groups.

We shall be calling on you again.

Sincerely and fraternally,

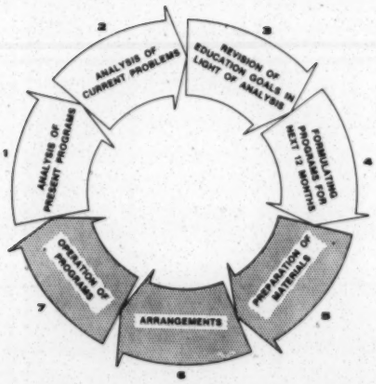
Norman

Norman Hill
Associate Director

NH/hh

CWA* Education During 1967-68

February 6, 1967



CWA Education Dept.
February 1967
NE 909

[* Communication Workers of America]

A Stronger CWA through

I n f o r m e d

Participation

Outline of CWA Education: 1967-68

NEW PROJECTS FOR LOCAL EDUCATION WORK

Meet Your CWA -- meeting outline for new members.

Speaking Kits -- for union meetings or community gatherings on topics of importance to the labor movement.

National Service education volunteers -- participation by CWA members in VISTA, HEAD START, and other community education activities.

Committee Chairman Guides -- training outlines for local committees.

Futures Folder -- education opportunities for CWA members and their families.

Study Forum -- series of small group discussions.

Growth Handbook -- guide for members of external organizing committees.

EXPANDED AREA TWO DAY SCHOOLS

Growth School -- for external organizing committees.

Steward School -- revision of outline for steward training.

Officers Training -- program for training newly elected officers.

IMPROVED DISTRICT WIDE SCHOOLS

School for Community Union Builders for chairman of external organizing committees on how to build a local program.

Local Leadership Week Long Conferences -- a wide variety of courses in a two year sequence for local officers.

School for Contract Negotiators -- to train negotiators in newly organized units.

CONTINUING STAFF TRAINING

A new one week course for all staff on current developments affecting labor.

Specialized staff training opportunities on time study, collective bargaining, testing, etc.

SUMMARY

During 1967-68 education programs in the Communications Workers of America will

assist local officers and stewards to learn the duties and responsibilities of union office

emphasize Growth as the number one need of labor in today's changing society

encourage members and the growing number of new members to participate in the work of the union and learn about CWA goals from personal experience

Education programs to achieve these goals are outlined in this report.

* * * * * * * * * *

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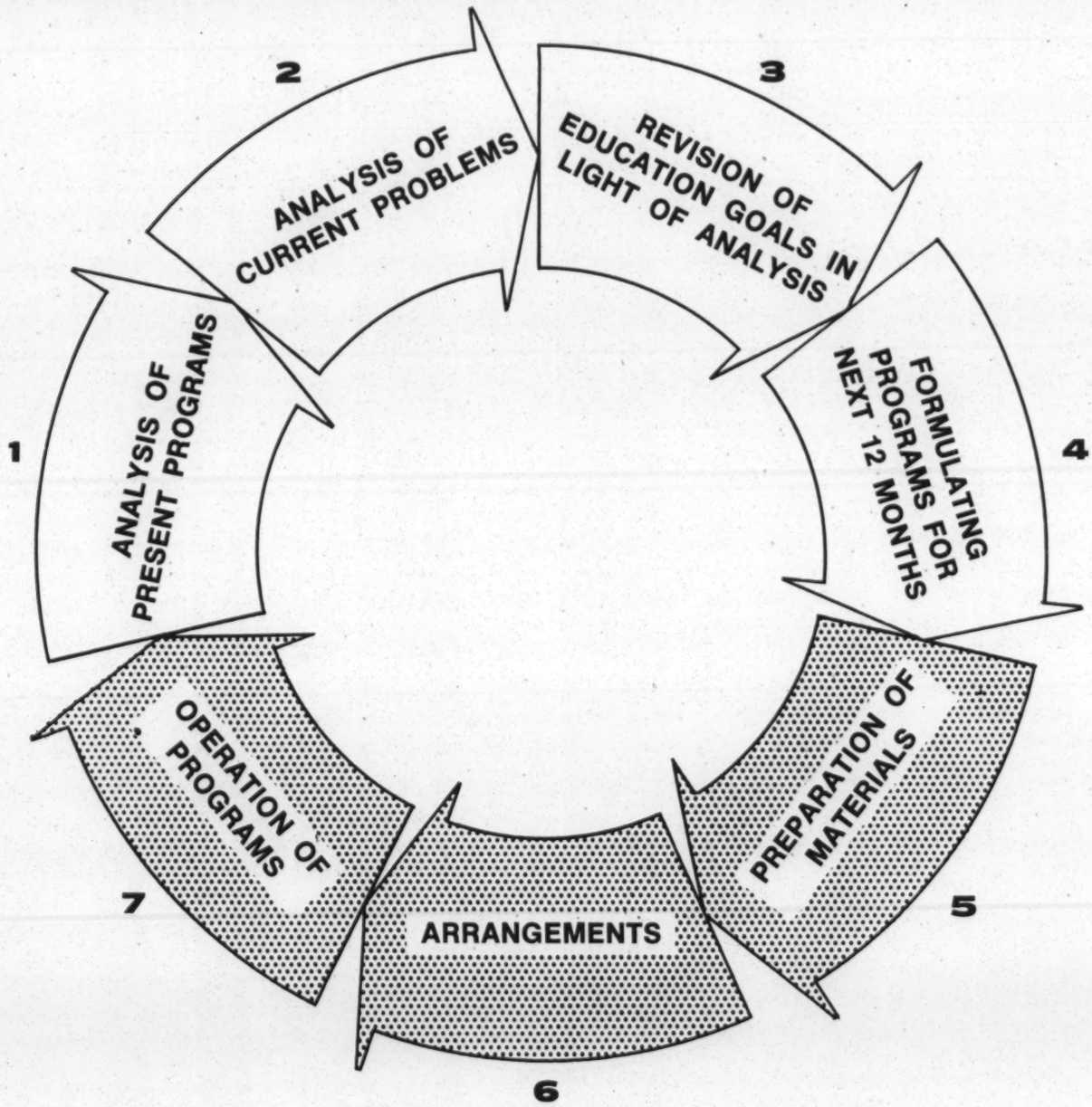
Section I REVIEW OF CWA EDUCATION DURING 1966-67 3

Section II SUMMARY OF CURRENT DEVELOPMENTS AFFECTING LABOR . . 11

Section III GOALS OF CWA EDUCATION DURING 1967-68 15

Section IV GETTING THE JOB DONE 23
Developing Materials
Preparation and Training Schedule

The Education Development Cycle



The full cycle is followed annually to keep CWA Education Programs in step with union goals and needs. The first four steps are covered by this report.

CWA Education During 1967-68

On November 13-18, 1966 a review of the CWA Education activities was held in Norman, Oklahoma. The district education coordinators, the CWA Education Director, Executive Vice President Watts, and his assistant participated in these discussions with several consultants. The consultants were:

Dr. Donald N. Michael, author of "The Next Generation"
Dr. Lloyd P. Williams, Professor of Education, University of Oklahoma
Dr. Fred Sloan, Professor of Education, University of Oklahoma
Dr. Hubert Hengst, Professor of Education, University of Oklahoma
Director Larry Rogin, Department of Education, AFL-CIO

This report reviews the education work completed by the CWA during 1966, summarizes new developments noted by the participants at the Norman meeting, and outlines goals for education work during 1967-68.

Section I

REVIEW OF CWA EDUCATION WORK DURING 1966-67

A. LOCAL OFFICER TRAINING TWO DAY COURSE

Every two years, after the bi-annual local union elections, CWA Staff conducts training of local officers in the duties and responsibilities of their office. These classes are currently being held throughout the union (January and February 1967). An estimated 2,000 local officers will participate in classes taught by 90 CWA staff.

The teaching outline and materials for this course were completely revised by the Education Department during 1966. They were reviewed by the Education Coordinators at the Norman meeting and include an emphasis on Growth, CWA goals, operation, and achievements. Here is a summary of the topics in the current outline:

Local Officer Training Course -- 2 days or 12 hours

CWA Goals and Achievements
Local Officer Duties
Your Local as a Part of the Labor Movement
Facts on Growth
How CWA Members Negotiate a Contract
Planning Your Program for This Year

Presidents Only	Secretaries Only
Parliamentary Review	Getting Members Dues Deduction
Planning Better Meetings	Processing the Returns from Dues
Getting the Local's Work Done	Deduction Reports and Records
Ethics	Local Union Work and Administration

B. STEWARDS TRAINING

Two day schools for training stewards are held by CWA Staff throughout the year. During 1966 the CWA Staff servicing locals reported conducting an average of 3 classes each, reaching a total of 2,769 stewards in 256 locals. Here is a summary of training during 1966:

TWO DAY STEWARD TRAINING COURSES HELD DURING 1966

District	Stewards Graduated	Locals Reached	Staff Teaching	Classes Held
Total	2,769	256	81	272
1	129	16	8	13
2	262	20	7	21
3	515	47	15	53
4	316	18	9	29
5	157	25	6	31
6	754	85	15	70
7	270	18	9	22
8	72	5	3	6
9	294	22	9	27
Canada	--	--	--	--

Source: Reports received by the Education Department.

The present outline developed in 1963, covers these topics:

Labor History
Steward Duties
Grievance Handling
Organizing
Contract Clauses

During 1966, additional prints of films used in these training outlines were supplied to area offices to facilitate the scheduling of classes. Also a survey of the staff teaching this course was completed to assemble their ideas for revision of the outline. The outline will be revised during 1967 to include information on Growth, CWA goals, operation and achievements.

C. SCHOOLS FOR COMMUNITY UNION BUILDERS -- GROWTH

Much education effort during 1966 was devoted to the development of a course to train local organizing chairmen and officers in ways to involve their members in external organizing. The course consisted of a one week resident school for organizing chairmen and officers conducted by CWA.

1. Goals of Growth Schools

a. These schools were planned to train participants in how to

1) stimulate members about Growth
2) have members turn in organizing contacts
3) train members to make house calls
4) select places to collect show of interest cards
5) understand the U. S. system of labor relations affecting organizing

b. For staff an additional purpose in this school was:

learning how to work with local officers on Growth projects.

2. Methods

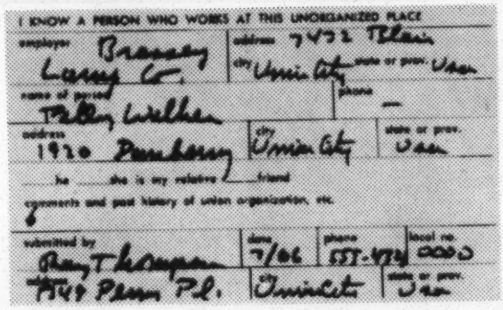
These goals were achieved by:

discussion of reasons for Growth, the law and techniques
workshops in which students practiced at the school techniques they were to use back home
talks by outside speakers on the need for increased organizing by the labor movement.

3. Materials

Materials were prepared in connection with these schools for use at the school and in the local. Most of this material had never been prepared before and presented a challenge:

Manual for training
Staff teaching outline
Contact cards
Polling packet - for training members in making house calls.
Posters, membership letters, leaflets and other materials to promote the collection of contacts.
Planning sheet to establish an organizing drive and budgeting.
Film on collecting contacts (in preparation).


I KNOW A PERSON WHO WORKS AT THIS UNORGANIZED PLACE

employer Bressey Lumber Co. | address 7472 Tilton | city Union City | state or prov. Calif.

name of person Tilly Walker | phone —

address 1920 Bancroft | city Union City | state or prov. Calif.

he ___ she is my relative ___ friend

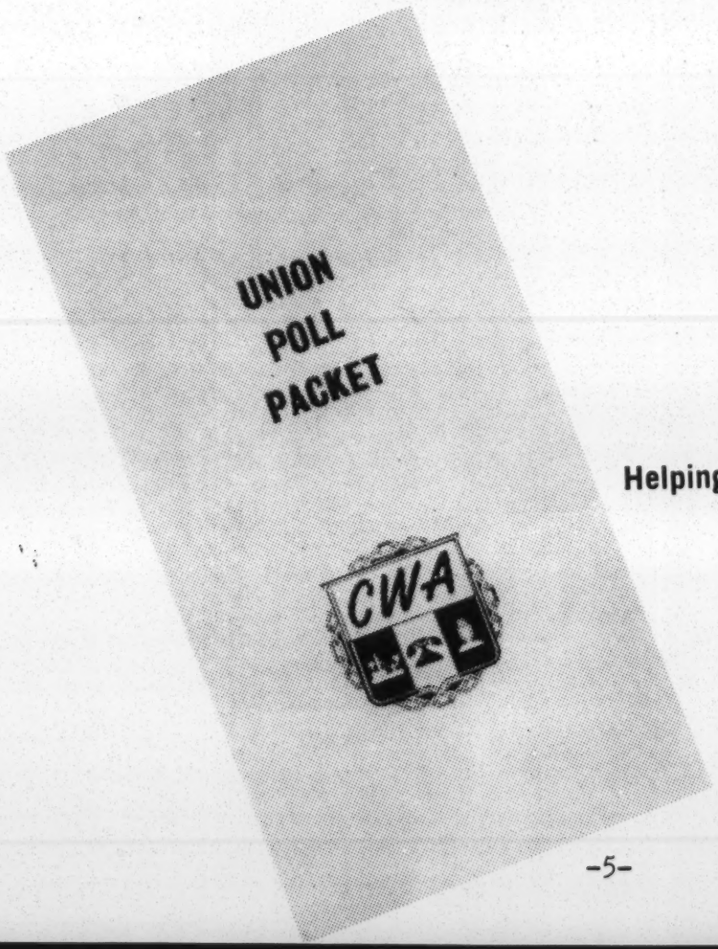
comments and past history of union organization, etc.

8

submitted by Ray Thompson | date 7/66 | phone 537-1724 | local no. 0000

7449 Pecan Pl. | Union City | Calif.

Collecting organizing contacts



Helping staff with organizing research

4. Schools

The following schools were held:

SCHOOLS FOR COMMUNITY UNION BUILDERS

DISTRICT	SCHOOLS HELD	NUMBER OF PARTICIPANTS*	NUMBER OF LOCALS PARTICIPATING*
Introductory Schools			
District 1-2-4	Pittsburgh - March 6-11		
District 6-3	Oklahoma City - March 20-25		
District 5-7	Minneapolis - April 24-29		
District 8-9	Los Angeles - May 8-13		
District 1	Atlantic City - May 22-27	50	21
	Albany, N.Y.- Dec. 4-9		
District 2	Washington, D.C.-Aug. 14-19	39	19
District 3	Gatlinburg, Tenn. Sept. 25-30	92	42
	Tuscaloosa, Ala.-Oct. 2-7		
	Jekyll Island, Ga. - Oct. 23-28		
District 4	----	6	3
District 5	Madison, Wisc. - July 10-15	83	40
	Champaign, Ill. - July 20-25		
	Bloomington, Ind. - Sept. 14-19		
District 6	Norman, Okla. - July 17-22	104	38
	Norman, Okla. - Sept. 25-29		
	Norman, Okla. - Oct. 2-7		
District 7	Lincoln, Neb. - Aug. 28-Sept. 2	52	19
	Iowa City, Iowa - Oct. 2-7		
District 8	Salt Lake City - Aug. 21-26	51	18
	Pueblo, Colo. - Oct. 16-21		
District 9	Clear Lake, Calif. - Aug. 14-19	30	15
Canada	----	--	--
	SCHOOLS HELD: 21	507	215

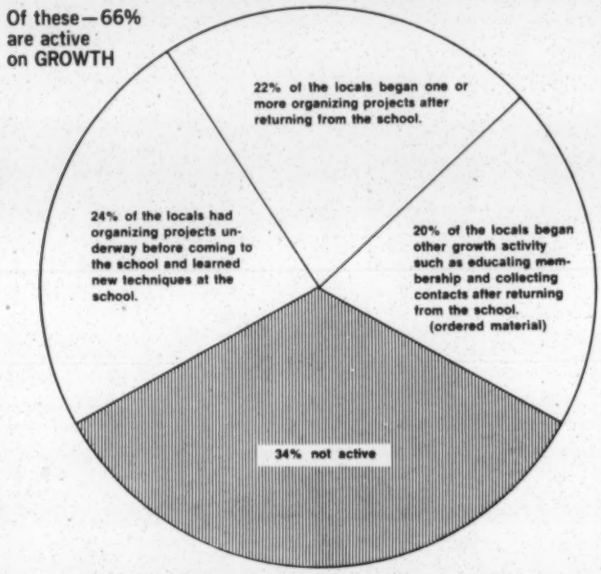
*The figures in these columns combine Introductory Schools and District Schools.

5. Activity

Since participating in the schools, two-thirds of the locals that participated in the 1966 training have been active in some phase of Growth. Some have initiated organizing projects since returning from the school, others have begun initial phases of Growth activity, such as: collecting contacts and researching potential places; and others, already involved in organizing, used the training to learn new techniques for organizing.

As of Jan. 1, 1967—

215 Locals Participated in COMMUNITY UNION BUILDERS SCHOOLS During 1966.



- Twenty one schools were held with a total attendance of 507.
- Most of the schools were held in August to October. The first school was in March and the last in December.
- Nearly as many locals participated in CUB schools as in the previous year's week-long schools — 269 locals in 1965 and 215 locals in 1966 CUB schools.

6. Evaluation of Lessons Learned for Growth Training in 1967-68

Training during 1967-68 should be based on the lessons gained in the 1966 schools. Before additional training materials are prepared, a careful analysis of the use of existing materials by participants at 1966 schools is to be undertaken. This evaluation is to be made in April 1967, approximately six months after most of the training, and will include an analysis of records at headquarters, a survey of the participants, and a depth study of the experience of several selected locals.

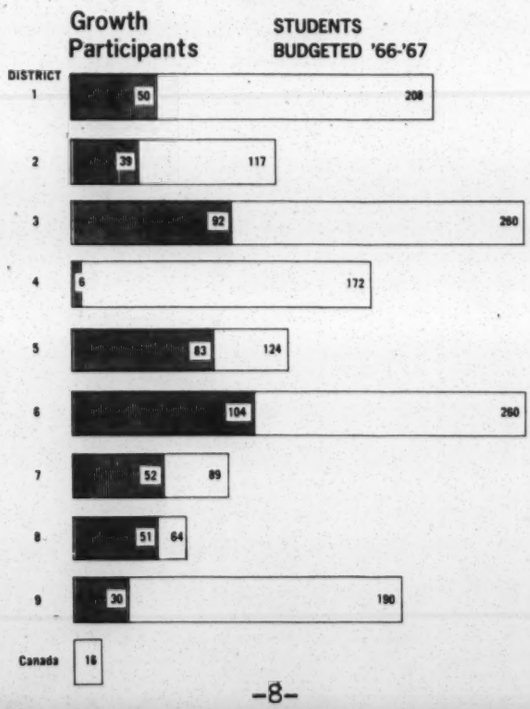
7. Cost

The cost of training during 1966 was:

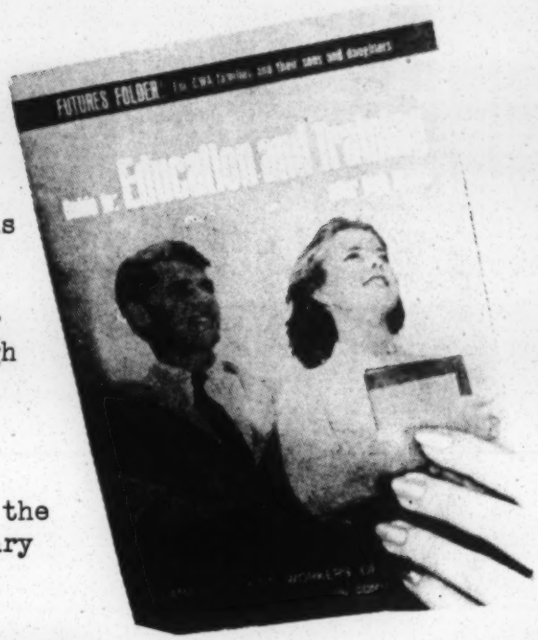
COST OF 1966 SCHOOLS FOR COMMUNITY UNION BUILDERS

District	Students (a)	Board and Room Amt. (b)	Board and Room per Student (c)	Speakers (d)	Staff Cost (e)	Materials (f)	Total (g)
1	50	$ 4,929.54	$ 97.00	$ 527.60	$ 3,461.28		$ 8,918.42
2	39	4,439.87	114.00	177.25	1,471.33		6,088.45
3	92	7,469.91	81.00	211.96	7,549.03		15,230.90
4	6	591.32	98.00	--	866.57		1,457.89
5	83	5,461.57	66.00	2,232.72	6,200.11		13,894.40
6	104	6,359.07	61.00	975.00	7,881.52		15,215.59
7	52	3,954.84	76.00	35.00	4,338.43		8,328.27
8	51	4,398.41	86.00	50.00	4,420.57		8,868.98
9	30	2,626.04	88.00	458.20	3,152.78		6,237.02
Canada	--	--	--	--	--		--
Inter-district		530.26	--	1,464.55	7,104.84	31,510.74	40,610.39
TOTAL EXPENDITURES	507	$ 40,760.83	$ 80.00	$ 6,132.28	$ 46,446.46	$ 31,510.74	$124,850.31
BUDGETED		$ 120,000.00	$ 80.00	$ 10,000.00	$ 12,000.00	$20,000.00	$162,000.00

Participation in 1966 Growth Schools
By District



D. FUTURES FOLDER



Information about training and job opportunities for children of CWA members and their families was prepared by the Education Department during 1966.

This project was an outgrowth of the White Collar Survey, which rated education objectives as a high membership priority.

The response to this folder confirmed these findings. Based on a coupon in the October and December CWA News, 1,785 individual requests for the folder were received and filled. Here is a summary of the requests by district:

INDIVIDUAL REQUESTS FOR FUTURES FOLDERS FOLLOWING COUPON APPEARING IN THE OCTOBER AND DECEMBER 1966 CWA NEWS. SHOWN BY DISTRICT

DISTRICT	NUMBER OF REQUESTS
Total	1,785
1	469
2	142
3	150
4	225
5	133
6	209
7	74
8	64
9	191
Canada	2
Other	126

E. UNIVERSITY LABOR EXTENSION ADVISORY COMMITTEES

Increasing numbers of CWA locals are holding classes with university labor extension programs. The availability of these services has increased in recent years. This year the University of Maine and Hawaii brought to 22 the number of institutions with programs.

These programs testify to the fact that labor is entitled to low cost university services on the same basis as other groups in the community. Unions, however, need to see that the programs are conducted in accordance with AFL-CIO policy which states that a bona fide university program includes a university subsidy, conducts programs with experienced labor staff, and has an advisory committee to inform it of union educational needs.

CWA members serve on the advisory committees of several university programs. These committees see that university programs are relevant and their charges are fair. The following sheet includes a list of the current programs and the CWA members who participate in their advisory committees.

UNIVERSITY LABOR EXTENSION ADVISORY COMMITTEES

University	Staff in Union Education	CWA Member on Advisory Committee
UNIVERSITY OF CALIFORNIA, (Berkley)	5	--
UNIVERSITY OF CALIFORNIA, (LA)	4	--
UNIVERSITY OF COLORADO	3	--
UNIVERSITY OF CONNECTICUT	5	--
CORNELL UNIVERSITY	5	--
UNIVERSITY OF ILLINOIS	5	Helga Nisbet
INDIANA UNIVERSITY	4	Catherine Butler &
UNIVERSITY OF IOWA	2	-- Holgate Young
UNIVERSITY OF MASSACHUSETTS	4	--
UNIVERSITY OF MAINE	1	--
UNIVERSITY OF MICHIGAN	7	Al Verhaeghe
MICHIGAN STATE UNIVERSITY	5	Al Verhaeghe
UNIVERSITY OF MINNESOTA	6	Florine Koole
UNIVERSITY OF MISSOURI	4	--
OHIO STATE UNIVERSITY	6	--
PENNSYLVANIA STATE UNIVERSITY	6	--
ROOSEVELT UNIVERSITY	2	Ed Disch
RUTGERS UNIVERSITY	5	Clara Allen
SOUTHERN ILLINOIS UNIVERSITY	1	--
WEST VIRGINIA UNIVERSITY	6	O. L. Davis
UNIVERSITY OF WISCONSIN	8	Ed Peil
UNIVERSITY OF HAWAII	3	--
	97	

F. SURVEY OF 1964 and 1965 WEEK LONG SCHOOLS

During the past year a survey was developed of participants in the previous two years of week long schools. The purpose of the survey was to determine if the week long programs were successful in reaching the group who are now in office. The survey will attempt to determine the present union activity of past participants in these schools.

Section II

Summary of Current Developments Affecting Labor

At the Norman meeting, trends affecting labor were discussed in addition to a review of the previous year's activity. In trying to anticipate learning needs of CWA local officers and members during 1967-68, these trends were considered to be as important as the experiences of the past year. In this section, a few of these trends are listed.

A. THE NEW DECADE

As the 1970's approach some of the problems that will affect CWA members become evident. This summary of conditions has been drawn from talks given by speakers at Schools for Community Union Builders and from the Norman education meeting. Here are some important trends:

1. INCOME will continue to rise accompanied by a continued loosening of the restraints which have been traditionally imposed by income.

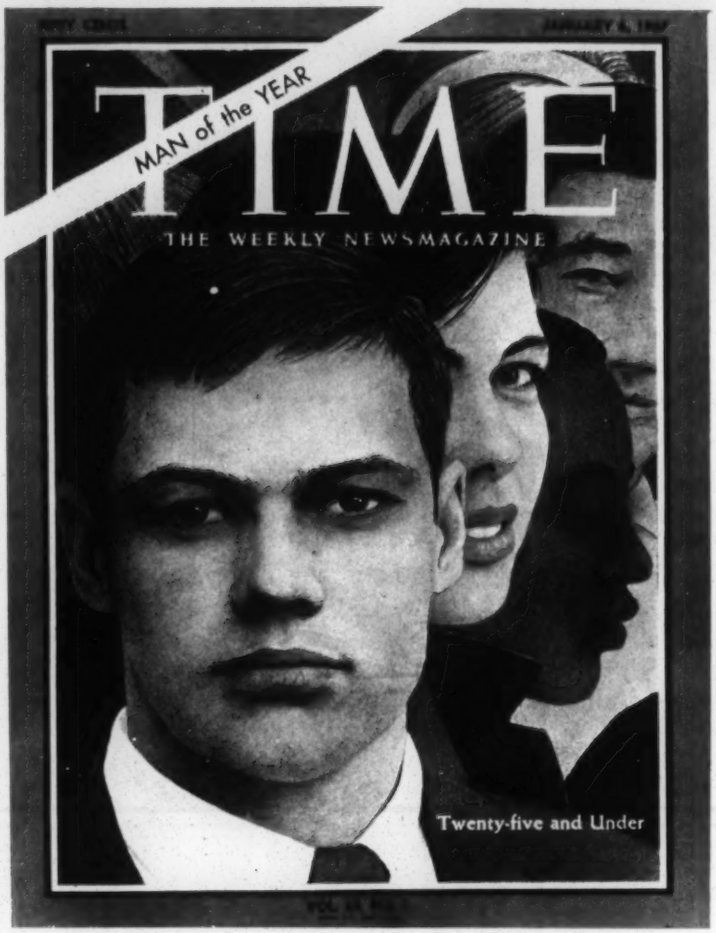
2. WORKFORCE will add 17,000,000 employees by 1975. Most of this group will go to work in the wholesale and retail trades, service trades and local government.

3. URBAN AREAS will continue to accumulate most of the population increase in the next decade and most of the problems. Poverty, traffic jams, pollution, and crime will grow faster than efforts to deal with them. Urban dwellers in the 70's will be more anxious, as a result.

4. EDUCATION will continue to cause a pinch on parents. The rising need for training will meet the continued shortage of facilities. Some professions are changing so fast that they will virtually require continuous training. But quality will suffer especially through the wider use of impersonal "automated" training devices. These trends may be offset by student demands for quality education.

5. TECHNOLOGY will move forward. Millions will be inconvenienced by job elimination and changes. The 70's will be a fertile field for opportunistic political movements. The Birch Society will have lots of company in the 70's.

6. WORLD TENSIONS will be heightened in the 70's by famine. The gap between rising population and lagging food production is expected to reach a critical point in the underdeveloped countries posing a morale dilemma for the developed countries.



B. THE NEW GENERATION

The age group 21 through 25 now numbers 14,000,000 in the U.S., larger than the present membership of all AFL-CIO unions. This is the group that is being called the "New Generation".

In 1965 the CWA education coordinators were interested in the education needs of this group. This generation has since begun to receive attention in the press and Time's Man of the Year for 1966 was "Twenty-five and under".

At the Norman meeting both the coordinators and the consultants agreed on the importance in the union and the community of this group.

A more difficult question is whether the "New Generation" represented a significant break with older generations in terms of the union and political ideas.

Are the differences we see traditional generation differences or is there something new here today? Are the ideas of the "New Generation" on campus, as widely reported in the press, reflected in younger union members? These are questions on which there is no research at this time.

The article in Time included these points:

> "The generation gap is wider than I've ever seen it in my lifetime," said Harvard's David Riesman.
> They are increasingly looking to themselves for ideas and leadership.
> More than 250,000 students are helping tutor children in depressed areas.
> Many are willing to trade income for participation.
> "Unlike the rebels of the '30's, who knew where they were going, the New Left today rejects ideologies -- he's issue-oriented, not ideology-oriented", says CCNY's Buell Gallagher.
> (Has) a built-in bunk detector for sniffing out dishonesty and double standards.

C. EFFECT ON CWA EDUCATION

1. What are the education needs implied by these trends?

   the meaning of trade unionism must be restated for a new generation that will be challenged by a variety of conflicting ideas.

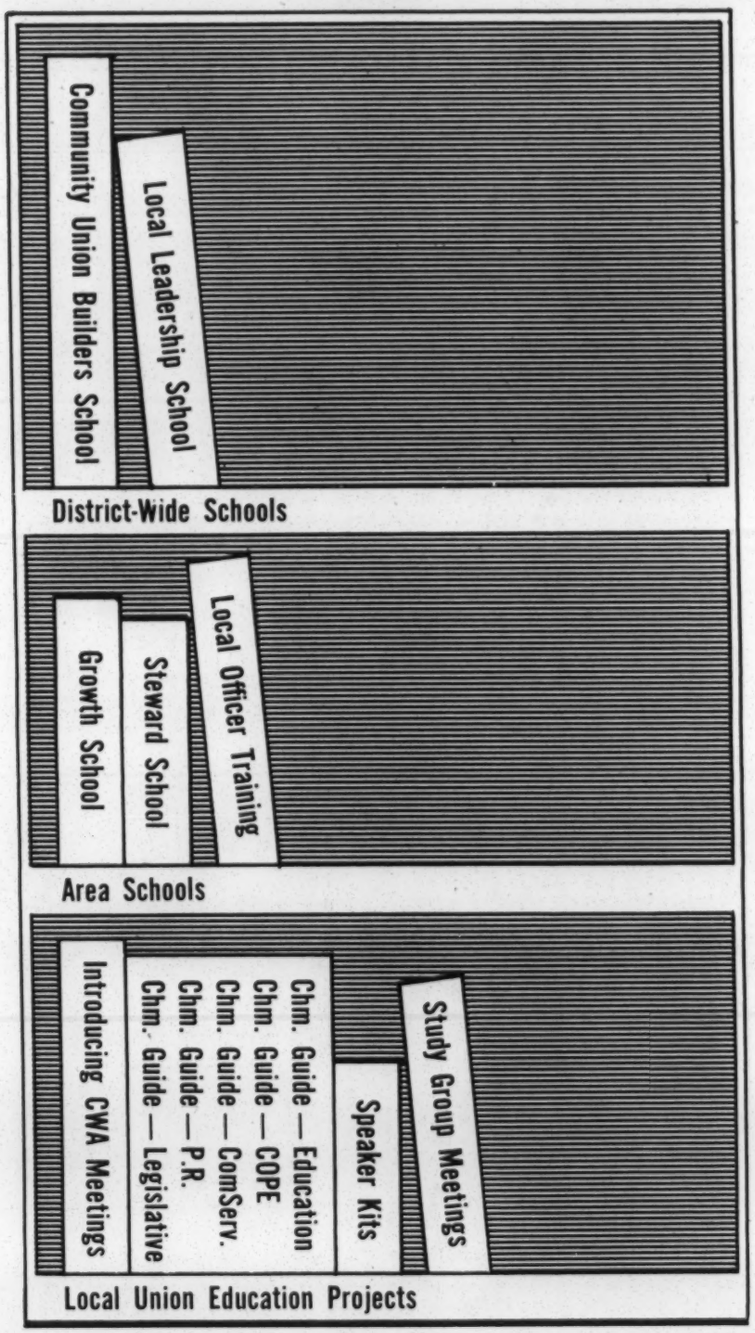
   we can be assured of greater challenges to unionism in the community in the coming years.

   there is an interest by the "New Generation" in action and participation in many fields in which the union also has an interest. Participation is the most potent form of education.

   organizing is one of CWA's most important activities.

2. During 1967-68 CWA Education will make initial efforts on programs which meet these needs of activating and unionizing members for the challenges that lie ahead.

Education Aids to Developing a More Effective CWA



INSTRUCTORS AND RESOURCE PERSONS FROM OUTSIDE C.W.A. WHO MADE CONTRIBUTION TO THE C.W.A. EDUCATION PROGRAM DURING 1966

Richard T. Baurman, Dir. of Latin America
Intl. Fed. of Petroleum & Chemical Workers
Denver, Colorado

Richard Bellman, Professor
University of Sothern California
Los Angeles, California

Dale G. Brickner, Asst. Professor
Indiana University
Bloomington, Indiana

Arthur Carstens, Adm. of Labor Program
Center for Labor Research & Education
University of California
Los Angeles, California

Arben O. Clark, Asst. Professor
University of Utah
Salt Lake City, Utah

Robert G. Colodny, Professor
University of Pittsburgh
Pittsburgh, Pennsylvania

Anthony Costantino, Professor
University of Iowa
Iowa City, Iowa

Martin W. Duffy, Asst. Professor
University of Minnesota
Minneapolis, Minnesota

Samuel M. Fahr, Professor
University of Iowa
Iowa City, Iowa

Roy G. Frannis, Professor
University of Minnesota
Minneapolis, Minnesota

Dr. Leo Schubert
American University
Washington, D. C.

Bert M. Evans, Asst. Professor
University of Nebraska
Lincoln, Nebraska

William M. Geer, Professor
University of North Carolina
Chapel Hill, North Carolina

Victor Gibeau, Assoc. Professor
University of Alabama
Tuscaloosa, Alabama

George Horton, Professor
University of Georgia
Athens, Georgia

D. L. Howell, Professor
University of Mississippi

Bernard P. Indik, Assoc. Research Specialist
Rutgers University
New Brunswick, New Jersey

Robert Jeffery, Assoc. Professor
Indiana University
Bloomington, Indiana

Edward Levin
Cornell University
Ithaca, New York

Frank Lyons
Schools for Workers
Madison, Wisconsin

Charles Marberry, Professor
University of Iowa
Iowa City, Iowa

Thomas J. McCormick, Asst. Professor
University of Pittsburgh
Pittsburgh, Pennsylvania

Donald O. Clifton, Assoc. Professor
University of Nebraska
Lincoln, Nebraska

Mack A. Moore, Professor
Georgia Tech
Atlanta, Georgia

Al Nash, Labor Program Coordinator
New York State School of Industrial &
Labor Relations
Cornell University
Ithaca, New York

George Nigh, Lt. Gov. of Oklahoma
Oklahoma City
Oklahoma

Paula Paley
Institute of Labor & Industrial Relations
University of Illinois

Edgar D. Pillow, Employment Coordinator
Hennepin County Economic Opportunity
Minneapolis, Minnesota

Mike Powers, Dean
University of Oklahoma
Norman, Oklahoma

Coleman B. Ransone, Jr., Professor
University of Alabama
Tuscaloosa, Alabama

William Rentfro
Center for Labor Research & Ed.
University of California
Berkeley, California

Reed C. Richardson, Professor
University of Utah
Salt Lake City, Utah

Irving Rosenstein
Philadelphia School System
Philadelphia, Pennsylvania

Don Slaiman, Director
AFL-CIO Dept. of Civil Rights
Washington, D. C.

Georgina M. Smith, Assoc. Research Specialist
Rutgers University
New Brunswick, New Jersey

Louis Smith, President
Operation Boot Strap
Los Angeles, California

Wallace Stealey, Asst. Professor
Southern Colorado State College

Stephen Sutherland, Assoc. Professor
University of Oklahoma
Norman, Oklahoma

Joseph F. Talarico, Professor
Douglass College
New Brunswick, New Jersey

Romeyn Taylor, Assoc. Professor
University of Minnesota
Minneapolis, Minnesota

Richard Terry, Asst. Professor
University of Oklahoma
Norman, Oklahoma

Kenneth F. Thornbury, Asst. Director
Oil, Chemical & Atomic Workers Intl. Union
AFL-CIO
Denver, Colorado

Rev. C. T. Viviam
Southern Christian Leadership Conference
Chicago, Illinois

Lloyd Williams, Professor
University of Oklahoma
Norman, Oklahoma

Fred Witney, Professor
Indiana University
Bloomington, Indiana

Raymond Clair Russell, Dist. Ext. Supervisor
University of Nebraska College of Agriculture
Lincoln, Nebraska

Section III

Goals of CWA Education During 1967-68

SUMMARY: During 1967-68 education programs in the CWA will:

assist local officers and stewards in learning the duties and responsibilities of union office.

emphasize Growth as the Number One need of labor in today's changing world.

encourage members and the growing number of new members to participate in union activities and to learn first hand the goals of the CWA.

A. DISTRICT WIDE SCHOOLS

These are week long schools planned and conducted in each District to support training efforts of staff representatives and locals during the year.

1. Community Union Builders Schools

During 1966 not as many Growth schools were conducted as should have been. As time continues, turnover and the need to reach new locals increase the importance of continued Growth training.

During 1967-68 one-week SCHOOLS FOR COMMUNITY UNION BUILDERS will continue as needed in each District to provide intensive training for local organizing chairmen and officers. Each District will determine the need for this training and announce schools.

In addition to this program, a program of two-day growth schools is being planned for the coming year (see Section B. below).

2. Local Leadership Week Long Schools

Schools for Local Leadership, conducted on a one-week basis, will be resumed in 1967-68. These will be similar to the programs conducted during 1963-65 and will be:

week long -- opening on Sunday and closing on Friday afternoon.
resident -- including in-town students.
held on a university campus or near university instruction resources.
budgeted board and room at $60 per student, instruction at $10, CWA staff participation at $15, and materials at $5.
registration fee of $5 per student.
between 20 and 80 participants at each school.
staff participants will be at school full week.
scheduled following the Convention.
second year school can be held separately or with a first year school.

The courses for a Local Leadership Week Long School in 1967-68 will be as follows:

FIRST YEAR	SECOND YEAR
Labor History and CWA Today (5 hrs)	Leadership Psychology (5 hrs)
Economics of Labor Issues (5 hrs)	Economics of National Issues (5 hrs)
Organizing, Community Services, and Public Relations (5 hrs)	Improving Local External Organizing (10 hrs)
How to Build a COPE Program (5 hrs)	Practical Politics (5 hrs)
Human Relations (5 hrs)	Three evening sessions ($4\frac{1}{2}$ hrs)
Three evening sessions ($4\frac{1}{2}$ hrs)	
total: 30 hrs.	total: 30 hrs.

This curriculum is similar to the 1963-65 curriculum, however, adds material on Growth, CWA goals, achievements of labor, and trends today.

3. Financing District Wide Schools

The budget will provide each district with funds for district-wide schools. The District will determine, based on its needs, how much it will use for Schools for Community Union Builders and how much it will use for Local Leadership Week Long Schools.

4. Evaluation of Growth Training

The Growth Training conducted at Schools for Community Union Builders will be fully examined in April 1967 to determine the topics and skills which proved to be most helpful to local organizers. The results of this evaluation will be used as a basis for materials prepared during 1967-68.

B. AREA SCHOOLS

Area schools are two day schools planned and conducted by the staff representatives with the coordination of the District Vice President to meet the needs of the locals in their area.

1. New Growth School

To reach locals who have not been participating in week long conferences, a two day Growth School outline will be prepared during 1967. It will take into account the findings of the evaluation of growth training made in the Spring, described above.

The course will cover the essentials of local external organizing and will be designed so it can be used for several locals or for an intensive course with the leadership of one local.

In order to reach the widest group of locals, financing will be provided for this program to cover the cost of necessary board and room, meeting rooms, speakers, and materials. These schools may be held on a one or two night basis, depending on travel arrangements. The schools will be budgeted at $40 per participant for these items and for 2,000 participants.

2. Local Officers Training

During 1968 the outline currently in use will be revised based on the experience during 1967. Classes will continue to be available during 1967-68 for locals not reached during the first part of 1967.

3. Steward Training Course

The outline and materials for the steward course will be completely revised during 1967.

C. COLLECTIVE BARGAINING TRAINING

To provide training during 1967-68 for members of negotiating committees of newly organized units, Collective Bargaining Schools will be conducted on a week long resident basis. The schools will cover the essentials of preparation for negotiations, effective bargaining, the content of bargaining, the scope of bargaining, and bargaining during the life of the contract.

These schools will be initiated by four inter-district introductory schools taught by CWA staff and outside speakers. Participants will be members of negotiating committees and local officers who bargain for units in their local.

D. LOCAL EDUCATION ACTIVITIES

Major goals during 1967-68 are to:

REACH EVERY CWA LOCAL WITH AT LEAST ONE EDUCATION ACTIVITY. There are some 500 locals not reached with existing programs.

ACTIVATE EVERY INTERESTED CWA MEMBER IN A UNION PROJECT. Activity here is especially aimed at the "New Generation".

PREPARE MEMBERS TO UNDERSTAND THE VALUE OF A UNION IN THE CHALLENGES THAT LIE AHEAD. Programs that emphasize "unionism" are included.

The following activities will be prepared to assist locals to meet these challenges:

1. Meet Your CWA

Develop a meeting to which every new CWA member would be invited. Every member present would be offered the opportunity to become active on a project. An outline would be prepared for the committee conducting this session. The meeting would be built around a 10 minute film which would explain the purpose and possibilities of CWA in today's world.

2. Speaker's Kits

A set of three kits will be developed on topics important to the CWA, which can be used in several ways: as speech topics in locally initiated public speaking classes, for officers speaking to public schools, or for Education Committees who want to inform members at a union meeting on issues of current interest.

Kits will be on topics such as: "The CWA Today". "The Right to Strike in the American Constitution", or "Why 14b Undermines the American System of Labor Relations".

3. Book Shelf

Preparation of a set of five books about unions which locals may purchase for presentation to local schools, libraries, veterans hospitals, or for local use.

4. Study Forum

A package of four study meetings will be offered to any group of 10 members who agree to organize themselves into a forum and meet four times. The topics of each discussion will be selected by the Education Department and will deal with current issues important to labor. They will be "issues" oriented rather than "duties" oriented.

5. Committee Chairman's Teaching Guide

To help committee chairmen train members of their committees and get their committees under way, teaching guides will be prepared. These will center around the committee's first meeting. Guides will be prepared for the chairman of the following local committees:

Legislative
Community Services
Public Relations
Education
Organizing
COPE

These teaching guides will make use of existing manuals, pamphlets, and other sources of committee information.

6. National Service

In the past five years, a number of educational activities have been created by the government and private agencies which are aimed at improving the progress and happiness of the nation. For example, VISTA, HEAD START, and UPWARD BOUND are Federal programs which require vast numbers of citizens to participate to make them effective. Junior Colleges provide quality education for many and call for citizen participation. The Council for Economic Education and the University Labor Extension Services are worthy of labor support.

During 1967/68 the Education Department will explore ways of motivating CWA members to participate in these programs and ways by which governmental funds can be utilized by CWA and CWA locals for educational activities.

7. Growth Handbook

For locals who have not participated in training schools and for the continuing references of all officers, a handbook will be prepared based on the experience in Growth, to date.

8. Futures Folder

During 1967-68 the Futures Folder, a set of information for members and their children about training and career opportunities, will be updated. This will include a check with members who received the current edition to learn how they used it.

Also during the year the Education Department and experts in the field of education, will explore ways in which CWA can be of further assistance to its members in aiding their pursuit to personal education goals.

9. Film Rental

The film needs of CWA have been studied and it has been found not practical for CWA to operate its own film library. Film usage arises in two situations:

FOR TRAINING OUTLINES. Several films are used with current course outlines. For this purpose prints of films included in the outline are increasingly stocked in area offices.

CURRENT LABOR ISSUES AT UNION MEETINGS. Films are desired on an occasional basis by locals at union meetings, schools, etc. For this purpose, a large source of current films is needed. The AFL-CIO operates a library with a nominal film rental which is available to all AFL-CIO affiliates. For this reason it is impractical for the CWA to duplicate this service.

The CWA film library will be discontinued during 1967-68 and the AFL-CIO Library will be used to supplement any film needs not met by prints available in the Area Offices.

E. STAFF TRAINING

1. During 1967-68 one week resident sessions for all CWA Staff will be conducted to provide an opportunity for discussion of current trends affecting labor.

   Two sessions will be held for the Area Directors and four will be held for other CWA Representatives.

2. As in the past years, an allocation will be included in the budget for participation by staff in specialized staff training sponsored by the AFL-CIO, universities, or other groups. Time study and collective bargaining have been two kinds of schools attended by CWA Staff.

Section IV

GETTING THE JOB DONE

A. MATERIALS PREPARATION

The key to many of these projects is materials that are carefully prepared, especially since several projects are "self starting".

To prepare for the 1967-68 programs the Education Department will set up a SUMMER MATERIALS PROJECT. Qualified teachers and experts with union experience will prepare materials for these programs. This preparation will include observing sessions now being taught and testing drafts with CWA groups before they are put in final form.

The use of the Summer Materials Project will enable many of the programs described in this report to get off the ground faster than is possible otherwise.

B. SCHEDULE FOR PREPARATION AND TRAINING

On the following sheet is a schedule for materials preparation and training. Most of the programs will be ready in the last Fall.

Schedule of Materials Preparation and Training

	1967												1968					
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J
						'67 Convention												'68 Convention Washington
PREPARATION OF MATERIALS		Revised week long Local Leadership School mtls. Evaluation Community Union Bldrs. Schools Plan work for Summer Materials Project.					Summer Materials Project * Staff School Preparation			Reproduce and Package Materials Arrange Staff Schools			Evaluate Programs Prepare 68/69 Program					
TRAINING		Local Officer Training Schools - 2 day. Growth Schools - week					Local Leadership Week Long Schools			Staff Schools			Begin New Steward Schools Begin New Growth Schools Introductory Collective Bargaining Schools					
										Begin Local Education Activities, as ready. Futures Meeting								

*SUMMER MATERIALS PROJECTS

1. Steward Training, 2 day revised outline
2. Growth, 2 day new outline
3. Growth, local handbook
4. Collective Bargaining, week long outline
5. Local: Speakers Kits
6. Local: Meet Your CWA meeting
7. Local: Committee Chm. teaching guides
8. Local: Study Forums, four sessions

STEPS IN DEVELOPING EDUCATION MATERIALS: 1) review records and reports on similar work in past, 2) observe present course being taught, 3) assemble material from other sources, unions, universities, 4) conceive and draft outline and materials, 5) test draft on class or meeting situation, 6) revise based on test results, 7) reproduce and set up shipping and packaging arrangements.

COMMUNICATIONS WORKERS OF AMERICA
1925 K Street, Northwest
Washington, D. C. 20006

December, 1968

CWA ACTION CIRCUIT

Discussion Outline

"CWA ACTION CIRCUIT" TAPE

SOUND TAPE
FULL TRACK
7½ IPS

TITLE GRIEVANCES AND ARBITRATION TIME 15 min TAPE NO 2-68

INTRODUCING THIS SESSION
On this tape, President Beirne reports on the performance of the union grievance system. In our procedure, grievances are initiated at the local level and if not resolved are appealed to the International Union level and finally to arbitration. At arbitration, the Union and the company mutually agree on a person who hears the case and makes a decision based on the facts that is final and binding. Mr. Beirne also comments on our 30th Anniversary and President-elect Nixon.

DISCUSSION FOLLOWING THE TAPE
The questions are framed to be put to a panel of experts (the President, the Chief Steward, the Representative, etc.) taking additional questions from the floor as you go along.

1. Under our contract how is a grievance initiated?

2. What steps does a grievance go through in the local? Who participates at each step for the company? For the Union? What are the time limits? (This might be drawn on a blackboard or on a chart.)

3. During 1968, how many grievances were initiated in our local? How many were won? How many were appealed?

4. What steps does a grievance go through outside of the local? What recent arbitration cases over the past several years affected the members of our local?

CONCLUDING SUMMARY
In the CWA we have one of the best grievance procedures, which includes participation from the local and the International Union and brings to bear research and legal talent, and a final determination by an impartial arbitrator. For many members it has been a direct benefit, and for all of us it stands as a protection which benefits us each day indirectly.

HOW TO PREPARE FOR THIS SESSION....

HOW TO PREPARE FOR THIS SESSION

WHERE TO USE THIS TAPE

This tape contains information about CWA goals and activities. It is suitable for a wide variety of CWA meetings: union meetings, steward meetings, executive board meetings, new member orientation, and others. It is short so that the session can include a discussion, clarification, and questions.

EQUIPMENT

This is a full track tape to be played at 7½ inches per second. Any tape player that can function at 7½ ips will be able to play it. Equipment can be rented in most areas, however, many members have tape players.

PREVIEW

Whoever is handling the session should listen to the tape before the meeting with one or two other people. Think about these questions as you listen:

Will the tape raise questions with your members you need to anticipate?

Are there posters or pamphlets that would go with this subject you should bring to the meeting?

How should the session be introduced?

Would it be helpful to designate an "expert" to serve as a resource in answering questions after the tape?

WHEN TO USE TAPE

In a union meeting, the person handling the session should see the President and work out when to have the session. You need to plan about a half hour for the tape, introduction, and discussion. The session might be held—

1. As a communication at the beginning of the meeting.
2. As a part of the Executive Board report.
3. As a committee report (education, legislative, etc.)
4. As "good and welfare."
5. Before the formal beginning of the meeting.

TECHNICAL DETAILS

Can the tape be heard all over the meeting hall?
(the speaker on the tape player is enough for a small room but in a big hall it is better to have speaker connected by a jack.)

Has the person handling the session checked himself out on the equipment?

Do you need extension cords?

REPORT

To complete the "circuit" mail the report form NE-1124 after your session. Indicate on the card reactions of your group. Several NE-1124 cards are enclosed in this kit. USE A SEPARATE CARD FOR EACH SESSION.

1968 Theme Poster

This poster illustrates some of the ideas and issues that will be discussed at your school this year. It is named "Unionism Today".

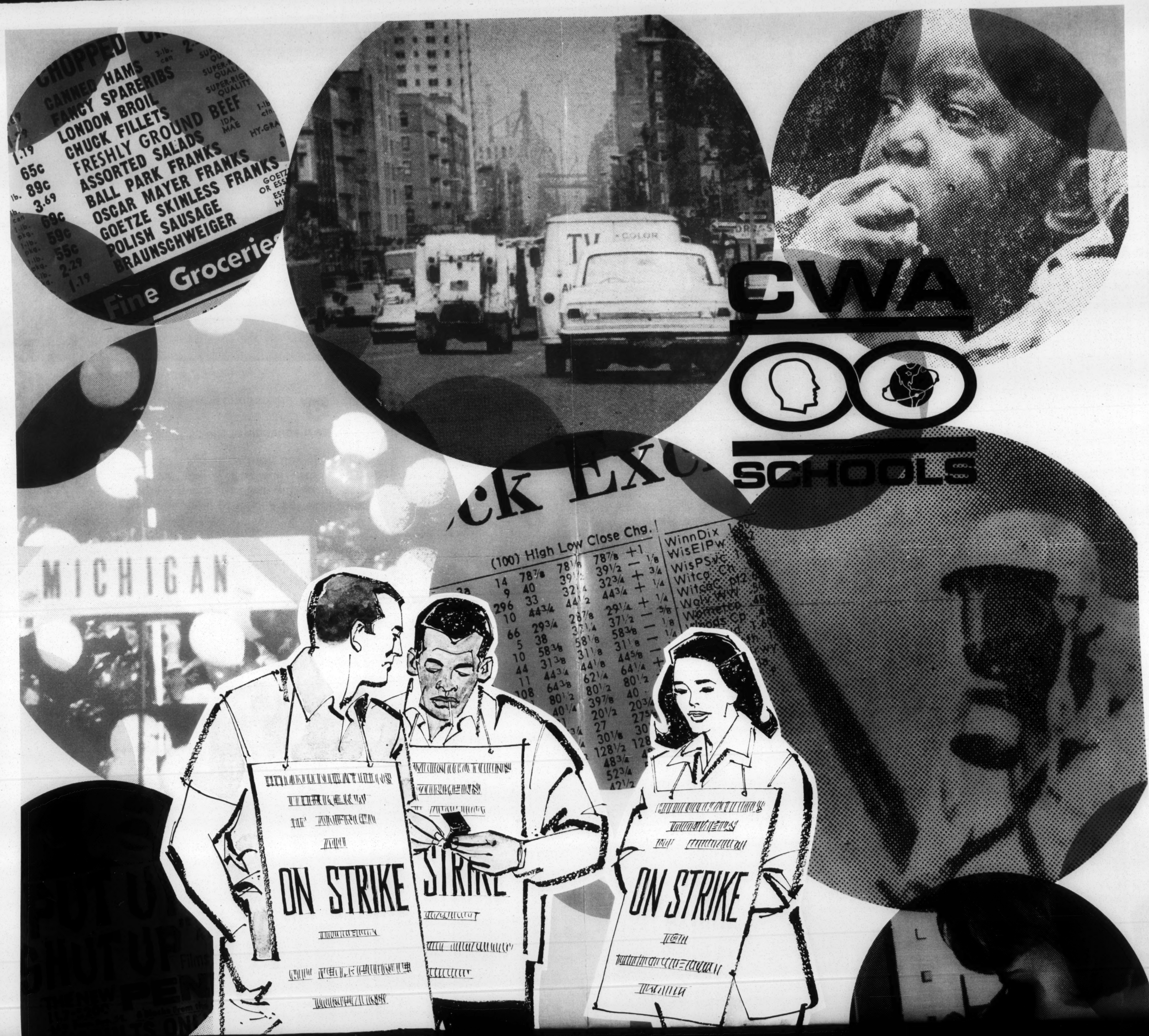
WAYS TO USE THIS POSTER

★ Before the school, show it to your local officers and members at your work location. Get their ideas as to what new unionism includes.

★ Make a list of points you would like to discuss at the school and bring it with you. Other participants may have some of the same questions, so you may not need to raise every item on your list. But this is your personal set of learning goals for the week.

★ Use the poster after the school to help give your report at the membership meeting or to members at your work location. The poster may suggest several of the points you want to stress.

★ Keep the poster as a souvenir of the school.


CHOPPED
CANNED HAMS
FANCY SPARERIBS
LONDON BROIL
CHUCK FILLETS
FRESHLY GROUND BEEF
ASSORTED SALADS
BALL PARK FRANKS
OSCAR MAYER FRANKS
GOETZE SKINLESS FRANKS
POLISH SAUSAGE
BRAUNSCHWEIGER
Fine Groceries
TV
CWA
SCHOOLS
MICHIGAN
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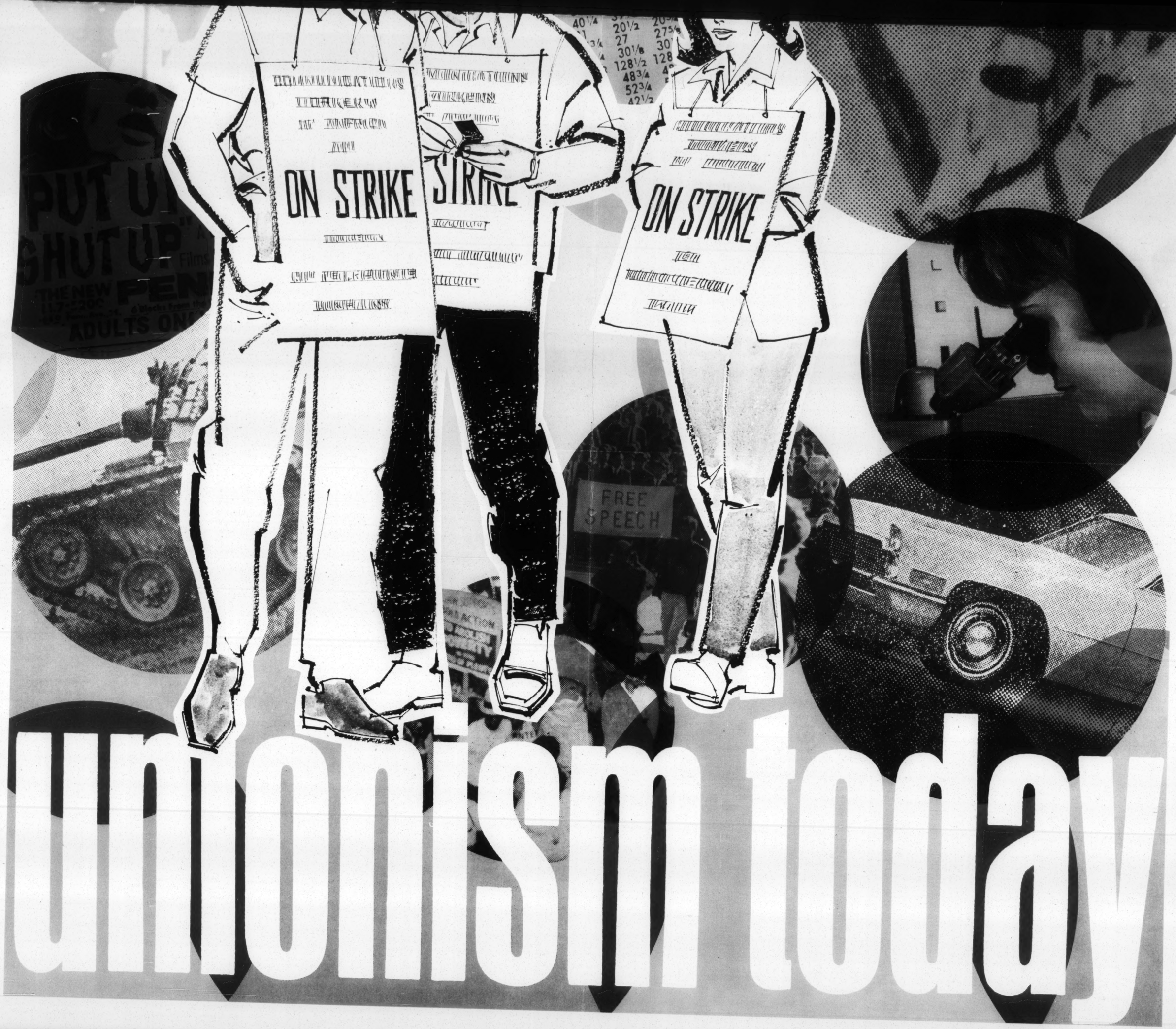

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CWA

SCHOOLS

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HOPE TO SEE YOU IN 1969.

COMMUNICATIONS WORKERS OF AMERICA
1925 K STREET N.W. WASHINGTON D.C. 20006

NE-1030b

1968 WAS A YEAR

pop Comment '68

•ABRAHAM, MARTIN & JOHN

(As recorded by Dion/Laurie)

DICK HOLLER

Has anybody here seen my old friend Abraham
Can you tell me where he's gone
He's freed a lot of people but the good die young
I just looked around and he's gone.

Has anybody here seen my old friend John
Can you tell me where he's gone
He's freed a lot of people but the good die young.
I just looked around and he's gone.

Has anybody here seen my old friend Martin
Can you tell me where he's gone
He's freed a lot of people but the good die young.
I just looked around and he's gone.

Didn't you love the things they stood for
Didn't they try to bring some good for you and me
And we'll be free
Someday soon it's gonna be one day.

Has anybody here seen my old friend Bobby
Can you tell me where he's gone
I thought I saw him walkin' up over the hill with Abraham and Martin and John.

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Dion

Jimi Hendrix

•ALL ALONG THE WATCH TOWER

(As recorded by Jimi Hendrix Experience/Reprise)
BOB DYLAN

There must be some way out of here
Said the joker to the thief
There's too much confusion
I can't get no relief
Business men they drink my wine
Plowmen dig my earth
None of them along the line
Know what any of it is worth
No reason to get excited
The thief he kindly spoke
There are many here among us
Who feel that life is but a joke
But, you and I we've been through that
And this is not our fate
So let us not talk falsely, now
The hour is getting late.

All along the watch tower
Princess kept the view
While all the women came and went
Barefoot servants, too
Outside in the distance
A wildcat did growl
Two riders were approaching
The wind began to howl.

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•CROWN OF CREATION

(As recorded by the Jefferson Airplane/RCA Victor)
KANTNER

You are the crown of creation
You are the crown of creation
And you got no place to go
Soon you'll attain the stability you strive for
In the only way that it's granted
In a place among the fossils of our time.
In loyalty to their kind
They cannot tolerate our minds
In loyalty to our kind
We cannot tolerate their obstruction.

Life is change
How it differs from the rocks
I've seen their ways too often for my liking
New worlds to gain
My life is to survive and be alive for you.

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•REVOLUTION

(As recorded by the Beatles/Apple)
LENNON
MCCARTNEY

Say you wanna revolution
Well you know
We all wanna change the world
You tell me that it's evolution
Well you know
We all wanna change the world
But when you talk about destruction
Don't you know that you can count me out
Don't you know it's gonna be all right, all right, all right.

You say you got a real solution
Well you know
We don't love to see the plan
You ask me for a contribution
Well you know
We're all doing what we can
But if you want money for people with minds of hate
All I can tell you is brother you have to wait
Don't you know it's gonna be all right, all right, all right.

You say it's in the Constitution
Well you know
We all wanna change your head
You tell me it's the institution
Well you know
You better free your mind instead
But if you go carrying pictures of Chairman Mao
You ain't gonna make it with anyone anyhow
You know it's gonna be all right, all right, all right, etc.

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•LADY MADONNA

(As recorded by The Beatles/Capitol)

LENNON
MCCARTNEY

Lady Madonna children at your feet
Wonder how you manage to make ends meet
Who finds the money when you pay the rent
Do you think that money was heaven sent.

Friday night arrives without a suitcase
Sunday morning creeping like a nun
Monday's child has learned to tie his bootlace
See how they run.

Lady Madonna baby at your breast
Wonder how you manage to feed the rest
See how they run
Lady Madonna lying on the bed
Listen to the music playing in your head
Tuesday afternoon is never ending
Wednesday morning papers didn't come
Thursday night your stockings needed mending
See how they run
Lady Madonna children at your feet
Wonder how you manage to make ends meet.

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•THE YARD WENT ON FOREVER

(As recorded by Richard Harris/Dunhill)

JIM WEBB

Is everyone safe?
Has everybody got a place to hide?
Is everybody warm inside?
Hear them singing? All the women of Pompei
Standing with the Kansas City housewives in doorways
In volcanoes and tornadoes on Doomsday.

There were houses, there were hoses, there were sprinklers
On the lawn, there was an ironing board
And she would stand amid her understanding
And ask the children what they'd done at school that day
And the yard went on forever
There were blouses, with print roses, checkered shirts
And white levis, there was a frying pan
And she would cook their dreams while they were dreaming
And later she would send them out to play
And the yard went on forever.

Is everybody safe?
Has everybody got a place to hide?
Is everybody warm inside?
Hear them singing? All the women of Bombay
Standing with the Nagasaki housewives in doorways
In eruptions and destructions on Doomsday.

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John Lennon of The Beatles

• (SITTIN' ON) THE DOCK OF THE BAY

(As recorded by Otis Redding/Volt)

STEVE CROPPER
OTIS REDDING

Sittin' in the morning sun
I'll be sittin' when the evening comes
Watching the ships roll in
Then I watch 'em roll away again, yeah
I'm sitting on the dock of the bay
Watching the tide roll in
Just sittin' on the dock of the bay wastin' time.

I left my home in Georgia
Headed for the Frisco Bay
I had nothing to live for
Looks like nothing's gonna come my way
So I'm just sittin' on the dock of the bay
Watching the tide roll in
I'm sittin' on the dock of the bay wastin' time.

Looks like nothing's gonna change
Everything still remains the same
I can't do what ten people tell me to do
So I guess I'll remain the same
Just sittin' here resting my bones
And this loneliness won't leave me alone
This 2,000 miles I roamed just to make this dock my home
Now I'm sittin' on the dock of the bay
Watching the tide roll in
Sittin' on the dock of the bay wastin' time.

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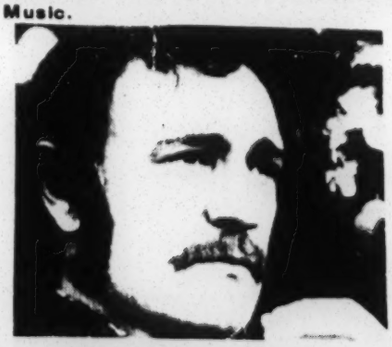

Richard Harris

•MR. BUSINESSMAN

(As recorded by Ray Stevens/Monument)

RAY STEVENS

Itemize the things you covet
As you squander through your life
Bigger cars, bigger houses
Term insurance for your wife
Tuesday evenings with your harlot
And on Wednesdays it's your Charlatan analyst
He's high upon your list.

You've got air-conditioned sinuses
And dark disturbing doubt about
Religion and you keep those cards and Letters goin' out
While your secretary's tempting you
Your morals are exempting you from guilt and shame
Heaven knows you're not to blame.

You better take care of business Mr. Businessman
If you can
Before it's too late - and you throw your life away.

Did you see your children growing up today
And did you hear the music of their laughter
As they set about to play
Did you catch the fragrance of those
Roses in your garden
Did the morning sunlight warm your soul
And brighten up your day
Do you qualify to be alive
Or is the limit of your senses so
As only to survive.

Spending counterfeit incentive
Wasting precious time and health
Placing value on the worthless
Disregarding priceless wealth
You can wheel and deal the best of them
And steal it from the rest of them
You know the score.

Eighty-six proof anesthetic crutches
Prop you to the top
Where the smiles are all synthetic
And the ulcers never stop
When they take that final inventory
Yours will be the same sad story
Everywhere
No one will really care
No one more lonely than
This rich important man
Let's have your autograph
Endorse your epitaph.

You better take care of business, Mr. Businessman
What's your plan
Get down to business Mr. Businessman
If you can.

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•WICHITA LINEMAN

(As recorded by Glen Campbell/ Capitol)
JIM WEBB

I'm a lineman for the county and I drive
the main road
Searching in the sun for another overload
I hear you singing in the wire I can hear
you through the whine
And the Wichita lineman is still on the line.

I know I need a small vacation but it
don't look like rain
And if it snows that stretch down south
won't ever stand the strain
And I need you more than want you and
I want you for all times
And the Wichita lineman is still on the line.

And I need you more than want you and
I want you for all times
And the Wichita lineman is still on the line.

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Glen Campbell

•DO YOU KNOW THE WAY TO SAN JOSE

(As recorded by Dionne Warwick/ Scepter)
HAL DAVID
BURT BACHARACH

Do you know the way to San Jose
I've been away so long
I may go wrong and lose my way
Do you know the way to San Jose
I'm goin' back to find some peace of
mind in San Jose
L.A. is a great big freeway
Put a hundred down and buy a car
In a week maybe two they'll make you
a star
Weeks turn into years
How quick they pass
And all the stars that never were
Are parking cars and pumping gas.

You can really breathe in San Jose
They've got a lot of space
There'll be a place where I can stay
I was born and raised in San Jose
I'm going back to find some peace of
mind in San Jose
Fame and fortune is a magnet
It can pull you far away from home
With a dream in your heart
You've never alone
Dreams turn into dust and blow away
And there you are without a friend
You park your car and right away
I've got lots of friends in San Jose
Do you know the way to San Jose
Can't wait to get back to San Jose.

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•AGE OF WORRY

(As recorded by Billy Waller/ Monument)
BILLY WALKER

We're living in an age of worry
Living in a time of stress
A disappointment all around us
Very little happiness.

We're living in an age of worry
We're living in a time of fear
Life goes by in such a hurry
Tension mounting year by year.

We're living in an age of danger
No peace of mind to feed the soul
The whole world is quick to anger
Greed and power is its goal.

Somewhere there's got to be a rainbow
It's got to be in heaven up above
I'll keep looking for that rainbow
And I'll keep searching for his love.

We're living in an age of worry
Living in a time of stress
Disappointment all around us,
Very little happiness.

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•JUDY IN DISGUISE

(As recorded by John Fred & Playboys/ Paula)
JOHN FRED
ANDREW BERNARD

Judy in disguise
That's what you are
Lemonade pie with a brand new car
Cantelope eyes
Come to me tonight
Keep a-wearing your bracelet
And your new rah-rah
Cross your heart with your living bra
Come to me tonight
Come to me tonight
Takin' everything in sight
Except for the strings on my kite.

Judy in disguise
That's what you are
Lemonade pie with a brand new car
Cantelope eyes
Come to me tonight
Come to me tonight
Well what ya aiming for
A circus of horrors
Yeah that's what you are
You made me a life of ashes
I guess I'll just take your glasses.

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•REACH OUT IN THE DARKNESS

(As recorded by Friend & Lover/ Verve/Forecast)
JIM POST

I think it's so groovy now
That people are finally getting together
I think it's so wonderful and how that
people are finally getting together
Reach out in the darkness
Reach out in the darkness
Reach out in the darkness and you may
find a friend.

I knew a man that I did not care for
And then one day this man gave me a call
We sat and talked about things on our
mind
And now this man he is a friend of mine
Don't be afraid of love
Don't be afraid, don't be afraid to love
Everybody needs a little love
Everybody needs somebody that they
can be thinking of
(Repeat chorus).

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• HELLO, GOODBYE

(As recorded by The Beatles/Capitol)
JOHN LENNON
PAUL MCCARTNEY

You say yes
I say no
You say stop and I say go go go
oh no
You say goodbye and I say hello
Hello, hello I don't know why you say
goodbye I say hello, hello, hello
I don't know why you say goodbye I say
hello

I say high, you say low
You say why and I say I don't know
oh no
You say goodbye and I say hello, hello,
hello

(Hello goodbye, hello goodbye)
I don't know why you say goodbye I say
hello
(Hello goodbye, hello goodbye)

I don't know why you say goodbye I say
hello
(Hello goodbye, hello goodbye).

You say yes, I say no
You say stop and I say go go go
Oh I say yes but I may mean no
I can stay till it's time to go
Oh you say goodbye and I say hello,
hello hello

I don't know why you say goodbye I say
hello
I don't know why you say goodbye I say
goodbye
Why, why, why, why, why, why, why do you
say goodbye, goodbye
Hello hello, I don't know why you say
goodbye I say hello
Hello, hela he-ba helo-a cha cha.

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•LOVE CHILD

(As recorded by Diana Ross & The Supremes/Motown)

P. SAWYER
R.D. TAYLOR
F. WILSON
D. RICHARDS

You think that I don't feel
What I feel for you is real
In those eyes I see reflection
Hurt, scorn, rejected
Love child, never meant to be
Love child, born in poverty
Love child, never meant to be
Love child, take a look at me.

I started my life in an old cold rundown tenement slum
My father left, he never even married mom
I shared the guilt my momma knew
So afraid that others knew I had no name
This love we're contemplatin'
Is worth the pain of waiting
We'll only end up hating
The child we may be creating
Love child, never meant to be
Love child scorned by society
Love child always second best
Love child different from the rest
mmmmmbaby, mmmmmmbaby.

I started school in a worn torn dress that somebody threw out
I knew the way it felt to always live in doubt
To be without the simple things
So afraid my friends would see the guilt in me
Don't think that I don't need you
Don't think I don't want to please you
But no child of mine will be bearing
The name of shame it'll be wearing
Love child, love child never quite as good
Afraid, ashame, misunderstood
But I'll always love you, I'll always love you I'll always love you
I'll always love you, I'll always love you-ou-ou
You-ou-ou-ou
You-ou-ou-ou.

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Diana Ross of The Supremes

•STREET FIGHTING MAN

(As recorded by The Rolling Stones/London)

MICK JAGGER
KEITH RICHARD

Everywhere I hear the sound of marching, charging feet boy
'Cause summer's here and the time is right for fighting in the street boy
But what can a poor boy do
Except to sing for a rock and roll band
'Cause in sleepy London town
There's just no place for a street fighting man.

They think the time is right for a palace revolution
But where I live the game to play is compromise solution
(Repeat chorus).

They said my name is called disturbance
I'll shout and scream
I'll kill the King
I'll rail at all his servants
(Repeat chorus).

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Mike Jagger of The Rolling Stones

•MONTEREY

(As recorded by The Animals/MGM)

ERIC BURDON
V. BRIGGS
J. WEIDER
B. JENKINS
D. MCCULLOCH

The people came and listened
Some of them came and played
Others gave flowers away
Yes they did
Down in Monterey
Down in Monterey.

The young gods smiled upon the crowd
Their music being born of love
Children danced night and day
Religion was being born down in Monterey.
The Byrds and the Airplane did fly
Oh Ravi Shankar's music made me cry

The Who exploded into fire and light
Hugh Masekela's music was black as night
The Grateful Dead blew everybody's mind
Jimi Hendrix people believe me set the world on fire
His Majesty Prince Jones smiled as he moved amongst the crowd
Ten thousand Electric Guitars were groovin' real loud
You wanna find the truth in life
Don't pass music by
And you know I did not lie, no I did not lie, no I did not lie
Down in Monterey.

Three days of understanding
Of moving with one another
Even the cops grooved with us
Do you believe me?
Yeah down in Monterey, down in Monterey.

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•THOSE WERE THE DAYS

(As recorded by Mary Hopkin/Apple)

GENE RASKIN

Once upon a time there was a tavern
Where we used to raise a glass or two
Remember how we laughed away the hours
Think of all the great things we would do
Those were the days my friend
We thought they'd never end
We'd sing and dance forever and a day
We'd live the life we choose
We'd fight and never lose
For we were young and sure to have our way.

Then the busy years went rushing by us
We lost our starry notions on the way
If by chance I'd see you in the tavern
We'd smile at one another and we'd say
Those were the days my friend
We thought they'd never end
We'd sing and dance forever and a day
We'd live the life we choose
We'd fight and never lose
Those were the days, oh yes, those were the days.

Just tonight I stood before the tavern
Nothing seemed the way it used to be
In the glass I saw a strange reflection
Was that lonely woman really me
Those were the days my friend
We thought they'd never end
We'd sing and dance forever and a day
We'd live the life we choose
We'd fight and never lose
Those were the days, oh yes, those were the days.

Through the door there came familiar laughter
I saw your face and heard you call my name
Oh my friend we're older but no wiser
For in our hearts the dreams are still the same
Those were the days my friend
We thought they'd never end
We'd sing and dance forever and a day
We'd live the life we choose
We'd fight and never lose
Those were the days, oh yes, those were the days.

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Simon & Garfunkel

•PIECE OF MY HEART

(As recorded by Big Brother & The Holding Co./Columbia)

BERT BERNS
JERRY RAGOVOY

Didn't I make you feel like you were the only man
Didn't I give you everything that a woman possibly can
But with all the love I give you
It's never enough
But I'm gonna show you baby that a woman can be tough
So go on, go on, go on, go on and take another little piece of my heart now baby
Break another little bit of my heart now honey
Have another little piece of my heart now baby
You know you got it if it makes you feel good.

You're out on the street
And you know deep down in your heart that ain't right
And you never, never hear me when I cry at night
I tell myself that I can't stand the pain
But when you hold me in your arms
I say it again
So go on, go on, go on, go on
And take it
Take another little piece of my heart now baby
Break another little bit of my heart now baby
You can have another little piece of my heart now baby
You know you got it if it makes you feel good.

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Janis Joplin of Big Brother & The Holding Co.

•MRS. ROBINSON

(As recorded by Simon & Garfunkel/Columbia)

PAUL SIMON

And here's to you, Mrs. Robinson
Jesus loves you more than you will know
Woo, woo, woo
God bless you please, Mrs. Robinson
Heaven holds a place for those who pray
Hey, hey, hey, hey, hey, hey.

We'd like to know a little bit about you for our files
We'd like to help you learn to help yourself
Look around you, all you see are sympathic eyes
Stroll around the grounds until you feel at home
And here's to you, Mrs. Robinson
Jesus loves you more than you will know
Woo, woo, woo
God bless you please, Mrs. Robinson
Heaven holds a place for those who pray
Hey, hey, hey, hey, hey, hey.

Hide it in a hiding place where no one ever goes
Put it in your pantry with your cupcakes
It's a little secret just the Robinson's affair
Most of all you got to hide it from the kids
Coo coo ca choo Mrs. Robinson
Jesus loves you more than you will know
Woo, woo, woo
God bless you please, Mrs. Robinson
Heaven holds a place for those who pray
Hey, hey, hey, hey, hey, hey.

Sitting on a sofa on a Sunday afternoon
Going to the candidate's debate
Laugh about it, shout about it
When you've got to choose
Every way you look at it you lose
Where have you gone Joe DiMaggio
A nation turns its lonely eyes to you (oo oo oo)
What's that you say Mrs. Robinson
Joltin' Joe has left and gone away
Hey, hey, hey, hey, hey, hey.

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•HARPER VALLEY PTA

(As recorded by Jeanie C. Riley/Plantation)
TOM T. HALL

I want to tell you all a story 'bout a Harper Valley widowed wife
Who had a teenage daughter who attended Harper Valley Junior High

Well her daughter came home one afternoon and didn't even stop to play
She said, mom I got a note here from the Harper Valley PTA.

The note said, Mrs. Johnson you're wearing your dresses way too high
It's reported you've been drinking and runnin' around with men and going wild

We don't believe you ought to be bringing up your little girl this way
It was signed by the secretary, Harper Valley PTA.

Well, it happened that the PTA was gonna meet that very afternoon
They were sure surprised when Mrs. Johnson wore her mini-skirt into the room
As she walked up to the blackboard, I still recall the words she had to say
She said, I'd like to address this meeting of the Harper Valley PTA.

Well, there's Bobby Taylor sittin' there and seven times he's asked me for a date
Mrs. Taylor sure seems to use a lot of ice whenever he's away

And Mr. Baker, can you tell us why your secretary had to leave this town
And shouldn't widow Jones be told to keep her window shades all pulled completely down.

Well, Mr. Harper couldn't be here cause he stayed too long at Kelly's bar again
And if you smell Shirley Thompson's breath you'll find she's had a little nip of gin

Then you have the nerve to tell me you think that as a mother I'm not fit
Well this is just a little Peyton Place and you're all Harper Valley hypocrites.

No I wouldn't put you on because it really did
It happened just this way
The day my mama socked it to the Harper Valley PTA.

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POP COMMENT '68

Popular music in this decade has had more to say about its life and times, than pop music in other periods of this century. These 22 songs taken from hits of 1968 illuminate problems of living and unionism today.

Communications Workers of America, AFL-CIO
Education Department NE-1127 Jan. 1969

Small Time Laboring Man

As recorded by George Jones on Musicor

E. Montgomery and G. Jones

A dollar an hour, eight hours a day,
Will soon make a young man wither away.
I work for my family with my wrinkled hands,
For I'm a small time laboring man.

Six long days each week, I toil and I sweat,
But on Sunday, my family gives me comfort
and rest.
Then again come Monday morning, I'll make tracks
in the sand,
For I'm a small time laboring man.

I'm a small time laboring man,
Fighting against trying moments again.
I fight for my country, with my calloused hands,
For I'm a small time laboring man.

Twelve months each year, my life stays the same,
Making my honest dollar in the sun, snow and
rain,
Though you don't see my family on the starvation
plan,
For I'm a small time laboring man.

Say it Loud I'm Black and I'm Proud

As recorded by James Brown/King

James Brown

Say it loud, I'm black and I'm proud
Say it loud, I'm black and I'm proud
Some people say we got a lot of malice
Some say it's a lot of nerve
But I say we won't quit moving
Until we get what we deserve
We've been buked and we've been scorned
We've been treated bad, talked about as sure
as you're born
But just as sure as it takes two eyes to make
a pair
Brother we can't quit until we get our share.

Whoee out of sight tomorrow night it's tough
You're tough enough whooee it's hurting me
Say it loud, I'm black and I'm proud
Say it loud, I'm black and I'm proud
Say it loud, I'm black and I'm proud

I've worked on jobs with my feet and my hands
But all that work I did was for the other man
Now we demand a chance to do things for our-
selves
We're tired of beating our head against the wall
And working for someone else
We're people we're like the birds and the bees
But we'd rather die on our feet than keep
living on our knees.

"You can't write lyrics like dum-dee-boop anymore." - Jimi Hendrix

People Got To Be Free

As recorded by The Rascals on Atlantic

F. Cavaliere and E. Borgati

All the world over, so easy to see;
People everywhere just want to be free.
Listen to you, listen, that's the way it
should be,
Peace in the valley, people got to be free.

You should see, what a lovely, lovely world
this'd be,
Everyone learned to live together. Uh-hu . . .
Seems to me, such an easy, easy thing should be,
Why can't you and me learn to love one another?

All the world over, so easy to see;
People everywhere just want to be free.
I can't understand, it's so simple to me,
People everywhere just got to be free.

If there's a man, who is down and needs a helping
hand,
All it takes is you to understand and to pull him
through. Uh-uh . . .
Seems to me, we got to solve it individually,
uh-uh . . .
And I'll do unto you what you do to me.

Shout it from the mountains or up to the sea,
No two ways about it, people have to be free.
Ask me my opinion, my opinion will be,
That's the situation for a man to be free.

Oh, what a feeling just come over me,
Enough to move a mountain with a blind man's lead.
Everybody got to see my heart is so free,
Peace in the valley, now it ought to be free.

See that train?
That's the train of freedom.
It's about to arrive any minute.
You know it's been long, long overdue.
Look out, coming right on through.

New York Mine Disaster, 1941

As recorded by the BeeGees on Atco.

B. & R. Gibb

In the event of something happening to me,
There is something I would like you all to see.
It's just a photograph of someone that I knew.
Have you seen my wife, Mr. Jones?
Do you know what it's like on the outside?
Don't go talking too loudly, you'll cause a
landslide, Mr. Jones.

I keep straining my ears to hear a sound,
Maybe someone is digging underground.
Or have they given up and all gone home to bed,
Thinking those who once existed must be dead?

3/25/69

Elected Officials Report

Proceedings of Conf "

Race Makes The Difference "

New Coop Report

(4)

no envelopes

type labels

for CWA

People

File

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

PAUL ANTHONY
EXECUTIVE DIRECTOR

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

March 25, 1969

TO: CWA Staff in Southern and Border States

Hoagy Young, CWA Director of Education, has requested that your name be placed on the Southern Regional Council's publications mailing list. You will receive our quarterly, New South, and other occasional publications of the Council.

This first mailing includes two pamphlets that I think you will find of special interest: Radicalism: Southern Style and Voter Registration in the South, 1968.

Our schedule is such that you will soon get several other reports. In general, however, you will not receive so many so close together.

We are extremely pleased to have you receive our publications and trust that you will feel free to communicate with us about them.

Sincerely,

Emory F. Via

Emory F. Via, Director
Labor Program

EFV/km

Enclosures - 2

4-5-69

president [illegible]
Workers since 1965, [illegible] named CWA secretary-treasurer to succeed William A. Smallwood, effective Apr. 1.

Smallwood, who served in the office since 1955, previously announced his resignation for "compelling personal reasons."

He was honored for his years of service by friends at a testimonial dinner in Washington Mar. 31.

The union's executive board, which selected Watts as Smallwood's successor, also named Gus C. Cramer, assistant to CWA Pres. Joseph A. Beirne, to succeed Watts.

The full slate of CWA officers, including secretary-treasurer and executive vice president, will be subject to election at the union's convention in June. The assistant to the president is an appointive office.

GLENN E. WATTS

Watts came to serve CWA full-time in 1948 as president of the union's former Division 36, comparable to the present Local 2336 which represents telephone workers in the District of Columbia.

He was elected president of CWA District 2, covering five eastern states and the District of Columbia, in 1951. He was appointed assistant to the president in 1956 and has served as executive vice president since May 1965.

Cramer also came on CWA's staff in 1948, as assistant to the president of the union's District 6, embodying five southwestern states. He became a special representative in 1951, was named assistant to an executive vice president in 1958, and has served as Beirne's assistant since 1963.

4-5-69
AFL-CIO News

Paul Hemphill
Pat Watters
Gary Cartwright
25¢
William Winn
Bruce Galphin
Reese Cleghorn

SOUTH TODAY

A Digest of Southern Affairs

ATLANTA, GA. VOL. I, NO. 7 FEBRUARY, 1970

Atlanta:

Leadership Crisis Over the Schools

INTEGRATION of Atlanta's public schools has created scenes reminiscent of smaller towns in the early 1960s. In a SOUTH TODAY Report, William Winn concludes that the city's leadership has faltered and its reputation has been scarred. Will responsible leadership now take hold? Pages 4, 5.

Students Marching *Wide World Photo*

Agnew's South

VICE PRESIDENT Spiro Agnew has criss-crossed the South with appeals that sound very familiar. His pitch to the Wallace voters may help go-slow Republican candidates this year, but it could hurt Republican moderates by alienating black voters. By Reese Cleghorn. Page 6.

Child Nutrition? Food Industry First

CHILD NUTRITION programs become, at the state and local levels, "incoherent shambles," says a new report. Congress has "paid lip service to a moral responsibility for child nutrition," but the interests of the food industry come first. By Claire Brown. Page 2.

Bogalusa Now

REPORTERS once scoffed about "beautiful Bogalusa" because of its racial violence. Today that Louisiana city moves ahead with a fully-integrated school system that could be a model for others. By Bruce Galphin. Page 8.

The Guns of Texas

South Leads In Killings

It happened nine days after Nixon administration spokesmen told a Senate Judiciary subcommittee there was no need for new gun control legislation. It happened, as coincidence would have it, six days after the president's Commission on the Causes and Prevention of Violence jarred the status quo with its recommendation that the federal government confiscate the 24 million handguns owned by private citizens. It happened where it usually happens, in a poor section of town.

Mrs. Nettie Loper, a 69-year-old widow and pensioner who for the past 14 years had lived in a predominantly white housing project in the predominantly black and brown eastside of Austin, stepped outside to empty her garbage and was killed by a stray .38-caliber bullet.

It was the first time Mrs. Loper ever had her name in the newspaper. The homicide obit attracted 10 paragraphs. In a slightly longer editorial the same newspaper, the *Austin American-Statesman,* reflected on the Violence Commission's report and observed that the president was being put in another of those "damned-if-he-does, damned-if-he-doesn't" situations. Caught in the crossfire, so to speak. . . .

"Guns are as American as apple pie," says Col. Pat Speir, director of the Texas Department of Public Safety.

"Guns," says Curti Graves, a member of the Texas House of Representatives, "should have

To Page 7

Cock Fight!

ON A COLD winter day, with a bottle of sour mash, a city Southerner observed the ancient, illegal country sport of cock-fighting. Expecting to be sickened by it, he found, instead, a ritual with more than a little dignity, a bond between man and game cocks, and . . . But read it yourself. By Pat Watters. Page 6.

Uptown Country Music

COUNTRY music "is probably the musical phenomenon of our time," Paul Hemphill says, and Nashville has become the world's second-largest recording center. But the "Southernness" of it, like the South itself, is flattening out. Will the country music purists survive their own success in the commercial world? Page 3.

'Food Industry's Interests Placed Ahead of Nutrition for Children'

REPORT ON REPORTS

by CLAIRE BROWN

hy Child Nutrition Programs Fail, by Rodney E. Leonard for the Children's Foundation, Washington, D. C., is an interesting excursion into the bureaucratic muddle of the school lunch program. The basic flaw is a deep one.

"While Congress, both in the National School Lunch Act of 1946 and the Child Nutrition Act of 1966, paid lip service to a moral responsibility for child nutrition, the legislation and the form of its administration are predicated on economic interests. . . . As a result, the administrative structure of the child nutrition programs is a means primarily of distributing inadequate resources in such a manner as to minimize the possibility of fraud in the programs and, therefore, public censure, *rather than to respond to human need. . . .*

"At the state and local levels, where legal authority presumably rests, the child nutrition programs are incoherent shambles. One example of the gross mis-administration of the program by the states is the apparent diversion of millions of dollars appropriated to supply free and reduced-price lunches for needy children. Under Section 25 of the Agricultural Appropriations Act of 1968, engineered by Rep. Carl Perkins, an additional $45 million was authorized (for free lunches). . . . But most states apparently are using these funds to hold down the prices of regular school lunches—in effect, benefiting the middle-class youngsters and diluting a special effort to provide an adequate diet for the poor."

(According to the U.S.D.A. statistics, 32.6 million Perkins dollars were spent for an additional 400,000 free lunches daily; the total $45 million was supposed to provide at least 1.4 million additional free lunches daily.)

"More than seven out of 10 states did not provide free lunches to the equivalent of half of the children used to justify the amount of Title I (educationally disadvantaged) money the states receive. . . .

"The federal government, if it recognizes the problem, has done little about it. . . . The federal bureaucracy is . . . more responsive to its own internal dynamics . . . than it is to the Presidency. . . .

"The program forms and procedures which the (Food and Nutrition Service) agency uses are more important to providing the appropriation committees with a mechanical accounting than to informing the Congress whether the health and well-being of children are being protected. . . . The report of the hearings before the House Appropriations Subcommittee . . . is a realistic example. . . . No question was raised to determine if the funds were adequate, or whether the programs were reaching all the individuals who needed help, or how many individuals were in need of assistance. . . .

"While the appropriation committees tell the administration to go slow on child nutrition programs, there is no similar record on caution on funds to purchase meat when cattle prices fall. . . . The needs of the child nutrition program rarely enter into (commodity purchasing) considerations (though more than 10 per cent of federal resources are in the form of commodities). . . . Where considerations do enter, it usually is to reassure those making the purchase decision that the child-feeding outlets can use the food products which may be purchased. . . . Obviously, in the struggle to establish priorities, the human nutrition advocates failed to convince the Secretary that the person in need of food should be given equal recognition with producing groups and processing industries. . . .

"Program management is weak and program direction is unaggressive at the (federal) agency level. . . . (There is) a lack of clear administrative policy . . . (and) inadequate procedures for maintaining budgetary control. . . . (There is) no means whatever to detect when programs operating under a block grant begin to drift from their intended purpose (e.g., the Perkins funds). . . . There is no policy and planning section. . . .

"In addition, underscoring the casual attitude to these very real problems, appropriations . . . for the 1969-70 school year were not approved by Congress until mid-November and had not been signed by the President and thus released to the states even as Thanksgiving week began. . . .

"Short of forcing the program to be measured by larger standards, the federal response in child nutrition will continue in the pattern reflected by current appropriations and expenditures . . . as follows: Child feeding and nutrition goals are given secondary roles to the demands of the food industry; (and) . . . growth in program resources is a measure of public pressure and not any recognizable plan.

". . . If the states appear indifferent to the existence of hunger among children, the attitude may be a reflection of that at the highest levels of government."

or a more intimate look at the school lunch program, IMPACT! Reports sent Charles Remsberg to Floyd County, Ky., part of the congressional district of Rep. Carl Perkins. Floyd County has a single industry, coal mining, and a single school district, with 35 schools. Of these, 32 have lunch programs. Floyd county, like many of its neighboring counties, is an economically depressed area. In these areas, Remsberg discovered how the school lunch program is run:

Children are forced to work, in exchange for lunch, in violation of federal regulations. Children unable to buy or bring lunch are forced to sit, hungry, in the lunchroom as others eat. Parents keep children home rather than let them be hungry at school—and officials do not object. Promises of free school lunches have been used to buy votes. Students at some schools have no lunch program because teachers consider it "inconvenient."

In the absence of objective and uniform standards of eligibility, poor children are denied lunch on personal and arbitrary grounds by local principals. While parents complain, school officials blandly insist "all children who want to eat are being fed."

In particular, back to Floyd County: During the last school year, the county school district received $117,684 worth of government food supplies and $83,025 in reimbursements for school lunch programs. But non-participation in the lunch program was running as high as 45 and 50 per cent in some schools, in this low- and no-income area.

Superintendent Charles Clark feels that full compliance with federal regulations on eligibility for free lunches would wreck the system entirely: "If we do give free lunches according to federal guidelines," he was quoted in the local newspaper as saying, "no Floyd County school lunchroom would be open after two days and no child would be getting a free lunch. Not a child goes hungry, not a child will go hungry. But these lunchrooms must be kept in the black. We are feeding everyone who qualifies for it and *wants* a free lunch."

IMPACT! Reports Everyman's Guide to Federal Programs, are available from New Community Press, 3210 Grace Street, N.W., Washington, D. C. 20007. Single issue, $1; yearly subscription $6.

SOUTH TODAY *A Digest of Southern Affairs*

SOUTH TODAY is published by the Leadership Project of the Southern Regional Council, 5 Forsyth St., N.W., Atlanta Ga., 30303. The Southern Regional Council, founded in 1944, is a research and information agency devoted to the attainment of equal opportunity for all peoples in the South. President: Raymond M. Wheeler, Charlotte, N.C.; Vice Presidents: Josephine Wilkins, Athens, Ga.; Frank Smith, Knoxville, Tenn.; Charles G. Gomillion, Tuskegee, Ala.; Lucius H. Pitts, Birmingham, Ala. Executive Director: Paul Anthony.

Reese Cleghorn, Editor Katherine S. Griffith, Assistant Editor

Some of the articles used in SOUTH TODAY have been edited for length. We welcome clippings which may be of use. They should indicate the date and the publication from which they came.

Feedback

N its December issue, SOUTH TODAY reported that victims of Hurricane Camille on the Gulf Coast had been neglected and exploited. It summarized the findings of a team of investigators sent to the area by the Southern Regional Council and the American Friends Service Committee. The team had traveled 2,500 miles and talked to 250 people.

That issue also reprinted a *New Yorker* article by Calvin Trillin from the scene. We believe Senate subcommittee hearings on the coast, which resulted from the SRC-AFSC inquiry, have confirmed SOUTH TODAY's report and Mr. Trillin's. But there are other opinions. One was sent to us by Robert McHugh, associate editor of the *Daily Herald* of Biloxi-Gulfport. The following is from a column which he wrote for his paper:

"Scarcely a day passes that something doesn't turn up in print in the national media about the Mississippi Gulf Coast and its effort to recover from Hurricane Camille.

". . . Calvin Trillin of *New Yorker* Magazine took a casual look at Pass Christian from which he drew some rather bizarre conclusions. . . .

". . . Mr. Trillin seizes upon an unguarded comment by a Pass Christian cafe proprietor to imply that our normal condition is one of greed. In his article, Mr. Trillin passes on a second-hand report that somebody had stolen some American flags and had this cafe man muttering, 'The normal greed has started. It's just the normal greed.'

"In the *New Yorker* format, a blend of self-conscious sophistication and condescension, people frequently repeat themselves. Saying something twice instead of once somehow adds authenticity to the quote.

"Apparently, the formula is effective. A publication of The Southern Regional Council called *SOUTH TODAY,* A Digest of Southern Affairs, reprints Mr. Trillin's article. The headline display includes the errant quote in bright red script letters: 'Just Normal Greed.' . . .

"In that smooth *New Yorker* prose that has been imitating itself for the past 20 years with such phenomenal success, Mr. Trillin says our 'capacity for outrage seems limited.' . . . And he says this column sounded barely irritated when it discussed the makeup of the Mississippi Insurance Commission and commented on its decision to raise wind damage rates 50 per cent on the Gulf Coast.

"Our irritation was, indeed, barely discernible. This was probably because we went to the trouble to determine that the hazard rates on the Gulf Coast, even with the 50 per cent increase, would be less than the rates on the Louisiana and Texas Gulf Coasts and just a bit above those in effect on the Florida Coast. . . .

"And at the risk of giving currency to Mr. Trillin's charge that we are a complacent bunch, we will add that the *New Yorker* piece barely irritates us. Mr. Trillin's account is entertaining, if not penetrating, and we overheard a green-grocer in Biloxi saying of it:

'I liked that *New Yorker* piece. I liked that *New Yorker* piece.' "

Country Fiddles

Nashville and Its Singers Have Gone Uptown . . . Big

By PAUL HEMPHILL
In The Atlanta Journal-Constitution Magazine

Waylon Jennings at Country Music Hall of Fame.

ountry music was always the exclusive property of the white Southern working class. The intellectual had his Bach. The Negro had his Chuck Berry. The middle-age professional had his Glenn Miller. The suburban housewife had her Sinatra. The graduate student had his Brubeck. But the Southern farmer and mechanic and truck driver and route salesman had his Roy Acuff and his Lefty Frizzell and his Hank Williams, and when the steamy Southern Saturday came to an end you could find him mesmerized in front of a radio, the whole family huddled around a big stand-up Zenith, souls being cleansed, cares being whisked away, spirits being lifted, as the glorious sounds of the Grand Ole Opry crackled all the way in from Ryman Auditorium in Nashville, Tennessee.

Acuff singing about "The Great Speckled Bird." Williams, poor and tortured and lonesome Hank, doing "I'll Never Get Out of This World Alive." Lefty cracking his voice, sliding all over the scale, being aped by every good old boy in every gas station in east Texas. Country music was theirs because it talked to them. It told about hard times and drinking and Jesus and cheating hearts, which were always with the lower white Southern classes.

I remember riding over the Blue Ridge with my old man, the four-ton Dodge about to drown out WCKY Cincinnati as a girl singer named Jean Shepard belted out a song called "A Dear John Letter," all about a GI in Korea getting walking papers from his love back home. "Hell of a thing to do to some old boy, ain't it?" my old man would say afterwards, as though he had just heard the 6 o'clock news.

It was called "hillbilly music" then, something the rest of the country barely knew existed. It was a scratchy, undisciplined, backwoodsy cacophony of grating fiddles and twanging guitars and singers with head colds. The stars were country boys a half-step off the farm, musicians who couldn't read a lick of music and wouldn't admit it if they could. The arenas were the county fairs and the tent shows and the courthouse squares and the low-watt local radio stations of the rural South, radio stations represented by the frantic voices of jakeleg preachers and drawling disc jockeys wailing pitches for cure-all elixirs and plastic Jesuses into the night, and the boundaries of country music were the boundaries of the South.

It was the music *of* the South, *by* the South, *for* the South. The only time any Yankees came around was when they stopped off at the Opry, on the way to Miami Beach, to see what the *freaks* were up to.

Now, of course, country music is something else, indeed. It is probably the musical phenomenon of our time. During the 60s, the number of full-time country radio stations zoomed from 80 to more than 400—and every city outside the South, cities like Detroit and Philadelphia and Boston, had a country station that was making a killing in its area. More than a dozen stars had weekly television shows syndicated all over the country, some of them carried in upwards of 100 markets.

In 1968 and '69, the television networks brimmed with country music: weekly prime-time shows like Glen Campbell's and Johnny Cash's and "Hee Haw." Country stars were now performing at Carnegie Hall and at the London Palladium, in Japan and Germany, in Los Angeles and Chicago and Detroit (where a country show drew an all-time-high gross gate of $93,000 from 24,000 fans). Country stars had never had it so good—Johnny Cash grossed $2 million last year, Glen Campbell demanded $30,000 for a concert, and at least a dozen others earned more than $25,000 a year—but the same could be said of musicians in other branches who came running to Nashville to capture what had been coined as "the Nashville Sound."

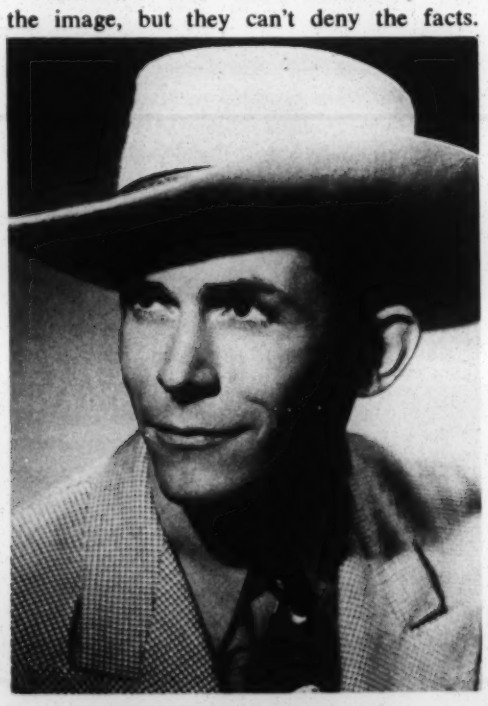
Dean Martin and Frank Sinatra were cutting albums of Nashville-written songs like "Gentle on My Mind" and "Little Green Apples," Bob Dylan was recording an album in Nashville called "Nashville Skyline," and it was beginning to look like any pop star who didn't record "By the Time I Get to Phoenix" didn't really care about his career. Explanations of the sudden influence and popularity of country music zeroed in on the sociological and demographic events of the post-World War II period.

"The big thing was all of these people moving out of the South to make more money," says Dick Blake, the top booker of talent in Nashville, explaining how transplanted Southerners took their music with them and created a demand for it that ended in a compromise—Northern and Eastern big-city radio stations gave them "countrypolitan," a hybrid that was pleasing to Yankee and Rebel ears, a hybrid that has replaced the foot-stomping "hillbilly" music we once knew.

Whatever the causes, the effect has been to make Nashville the second-largest recording center in the world: "Music City, U.S.A.," the home of the Grand Ole Opry, spiritual center of every country boy who ever picked a guitar, chief benefactor of the $100 million a-year country music industry. For all of these years Nashville prided itself as a center of higher education and printing and other sophisticated pursuits. Until recently the city called itself the "Athens of the South," but now it is known, to the world at large, as Hillbilly Heaven. Three out of five mail inquiries to the Chamber of Commerce deal with country music.

Nashville's elite don't necessarily like the image, but they can't deny the facts.

ROY ACUFF


HANK WILLIAMS SR.

"Sure, I *love* country music," is a typical comment. "It isn't every day you can pick up an industry like that." The boys on Music Row—the local term for the eight-square-block area about two miles from downtown, near Vanderbilt and the Negro slums, where the city's music industry is located—would be miffed at Elite Nashville if they had that kind of time. But the fact is, Music Row is too busy raking in cash to worry about things like that.

Scheduling their first recording session at 10 a.m. and finishing their last one of the day at 1 o'clock the next morning, the city's 21 studios (five years ago there were only 10) produce more 45-r.p.m. records than any other city in the world. There are more than 1,500 union musicians and an equal number of songwriters in Nashville, served by 29 talent agencies, seven record-pressing plants, 400 publishing houses, 53 record companies, offices for three performing rights organizations, and seven trade papers.

The name of the game now is money, and modernistic new buildings are sprouting along Sixteenth and Seventeenth Avenues South like spring-pea stalks. Leggy secretaries swish down the sidewalks. Shiny Cadillacs park close to the buildings, like fine hunting dogs hiding from summer heat under front porches. Johnny Cash sneaks in the back door of the Columbia studios, shades wrapped around his fierce eyes, going in to get himself another Gold Album. Agents arrange high-paying dates for their stars in Canada, telephoning on these new push-button phones in deep-carpeted offices. Refurbished buses that cost more than $50,000 and sleep nine wait in the alleyways, being revved up for 20-day one-nighter tours.

The sound of an 18-year-old star who is from Bastrop, La., and owns a Cadillac floats from a studio when somebody opens a back door during a session. Two stars, both of them wearing tight Western-cut flared trousers and striped turtlenecks, sit on the curb in front of RCA Victor's three-story building and argue the relative merits of owning stock in Minnie Pearl's Fried Chicken and something established like, say, Standard Oil. Okie-born star Merle Haggard, in from Bakersfield, Calif., for a week of howling among friends, kicks a beer can and points himself toward the Country Music Hall of Fame building, where they've got some of Jimmie Rodgers' things to look at.

Merle Haggard. It is important for me to say more, much more, about Merle Haggard now because he represents all of the things that are real and honest and good and true about country music. Or the country music that used to be and should be, but no longer is except in isolated cases. A lot of people don't realize how much country music has changed over the last 20 years, from the days when it was called "hillbilly" music, except to note that it is not, as one recording executive in Nashville told me, "so damned nasal, you know, *whiny*."

The real changes haven't been in technology, although the new recording equipment has made a big difference; or in subject matter, even though Roger Miller's swinging don't-give-a-damn hobo of "King of the Road" is quite a switch from the somewhat maudlin railroad bum of Jimmie Rodgers' time. The greatest change—the greatest loss—has been a very simple and a very critical one. It is, plainly, an absence of the feeling, the bared-and-stripped heart, the unabashed *soul*, that is, I think, causing country music to flatten out and become just another slightly unique branch of music—just like the South, itself, this South that was always so proud and defiant and singular, this South that allowed "hillbilly" music to nourish, has flattened out and lost, in its feverish grab at the brass ring, its identity.

Paul Hemphill, of Atlanta, is author of THE NASHVILLE SOUND: BRIGHT LIGHTS AND COUNTRY MUSIC, which will be published in May by Simon & Schuster.

ATLANTA: *Schools Order Reveals A Crisis of Leadership*

A SOUTH TODAY EDITORIAL REPORT By WILLIAM WINN

The failure of public officials to meet the responsibilities of their offices is an old, sad fact of life in the South. It was not particularly surprising, then, when public officials in Mississippi reacted angrily and irrationally to the "instant" desegregation order from the U. S. Supreme Court on Oct. 29. No one was surprised, either, that Georgia's Gov. Lester Maddox spewed his own peculiar, stammering rhetoric when the high court's decision finally worked its way down the legal ladder to apply to some Georgia schools.

Southerners have come to expect such reactions from the majority of their elected officials, and, all over the South, ambitious political luminaries dutifully responded to the federal court's immediate faculty and student desegregation order with florid invective and righteous indignation. It was, on the whole, too good an opportunity for them to pass up.

But what was surprising, to Southerners and to people all over the nation, was the reaction to the court order in Atlanta, a city widely publicized as a model of racial harmony in the South and possessing, for the past eight years, one of America's most respected public servants, Mayor Ivan Allen Jr.

Wasn't Atlanta the home of Martin Luther King Jr.? Wasn't it the city where Ralph McGill held sway over public opinion with his reasoned pleas for calm and racial justice? Wasn't it the city of the Atlanta *Constitution* and its Pulitzer Prize-winning editor, Eugene Patterson? The home of Julian Bond? The city which elected a Jewish mayor and a Negro vice mayor in October? Wasn't it the "city too busy to hate," the booming, glittering, seething metropolis that spawned the New South? Wasn't it the one city in the entire region where the public was certain to accept the integration order with wisdom and moderation gained from a decade of responsible leadership which had carefully and thoroughly educated the people in their duties and responsibilities as citizens of a changing nation? Well, wasn't it?

If it was, then who could explain the collapse of public leadership when, after 12 years of legal maneuvering and moral foot-shuffling, Atlanta was faced with the immediate prospect of having to fully integrate its public school system? Who could explain the unpreparedness of the city's residents and then the chanting, snaking line of *white* students demonstrating *against* integration, led, be it known, by their mentors, their educators, their *teachers,* in a racist promenade to the federal court and, finally, to their leader, Lester Maddox, the old Denunciator, who, in the moment of his glory, admonished students and teachers alike to boycott the schools and *break the law of the land?*

For those in Atlanta and across the nation who expected better of Atlanta, it was a little like hearing that Mary Poppins really is a junkie.

The commotion started in the second week of January, when 3,000 Atlanta students, some led by their teachers, took to the streets in 12-degree weather shouting "Hell no, we won't go!" and "We want Lester!" in protest against the U. S. District Court order to the city's Board of Education to prepare plans for immediate faculty integration. Actually, it should have been clear to everyone that such an order would be forthcoming ever since the U. S. Fifth Circuit Court of Appeals' Dec. 1 ruling in Singleton vs. Jackson, a landmark civil rights case, in which the Jackson (Miss.) Board of Education was ordered to prepare for faculty integration by Feb. 1, 1970, and for student integration by the fall. Yet, the Atlanta Board of Education did little more than wring its hands in the face of the court's decision, and nothing whatsoever was done to prepare the city's residents for what was coming. Perhaps Atlanta's board members were somewhat stunned by the Circuit Court decision and by the U. S. Supreme Court's ruling involving 30 Mississippi school districts. That was the ruling which struck down the "all deliberate speed" wording of the 1954 Brown decision and ordered an immediate end to segregation in the respective school districts. (See the Southern Regional Council's Special Report entitled "The Federal Retreat In School Desegregation," December, 1969.)

At any rate, on Dec. 16 U. S. District Judge Frank Hooper ordered the Atlanta Board of Education to be prepared for a Jan. 12 hearing, with plans for faculty and student integration. Although that order came in mid-December, it was the first week in January before Atlantans heard much about it, and the second week in January before the public's reaction, which seemed to be a mixture of anger, over not

Sanders

Allen

having been fairly warned, and disbelief, set in. In the meantime, there was little but silence from Atlanta's political, business, civic and religious leaders on the impending developments.

When they finally realized what was happening, many of Atlanta's teachers formed an organization to combat the Board of Education's plan for faculty integration, the students took to the streets, and even the system's athletic coaches got into the act, several of the more assured announcing they would quit rather than switch to another school. Atlanta School Supt. John W. Letson, hitherto a reticent moderate on the racial question, was moved to tell the students that their demonstrations presented a picture of "an outpouring of racism" to the nation, which indeed they did, and he publicly warned students and teachers that they would face disciplinary action if they disrupted orderly integration. Letson received little public support from his board, half of whose members were newly elected, and though great improvements over their predecessors, seemed cautious and unaccustomed to their power. He got no help at first from the council of the Parent-Teacher Association, which issued a unanimous resolution dubbing the court's faculty integration order "just as unconstitutional as making assignments on a segregated basis."

The Fifth Circuit Court of Appeals noted that 57 per cent of the city's teachers were black and 43 per cent white. To break the pattern of discriminatory hiring and discriminatory assignment that still prevailed, after 15 years of foot-dragging, it resorted to a sweeping order. It said every school in the city system must have a faculty 57 per cent black and 43 per cent white, by Feb. 1. To accomplish this, about 1,800 of the system's approximately 5,000 teachers would have to be transferred to other schools within the system.

It was during this critical period that Gov. Maddox, the balding, bespectacled former restaurateur, was calling for the students and teachers to boycott the schools, and daring Letson to take disciplinary action if they did. Maddox, who hopes to succeed himself as governor if he can legally overcome the Georgia Constitution's prohibition against second terms, used his State of the State address before the legislature to attack the "police state" tactics of the federal courts and urged parents to enroll their children in private schools. He also was busy preparing a bill to repeal the state's compulsory attendance law. (Georgia, it should be mentioned, leads the nation in school dropouts. Maddox, in fact, is a dropout himself.)

POLITICIANS

1970 is an election year in Georgia, and a number of gubernatorial hopefuls put their wares on display.

Compt. Gen. James L. Bentley, a recent convert to the GOP, declared that a student demonstration in protest of the faculty desegregation order was "the first demonstration at the State Capitol in 35 years that I have wanted to join." (Among the marches which have passed the Capitol during Bentley's tenure as state comptroller general was Dr. Martin Luther King's funeral procession.)

State Sen. Oliver Bateman, apparently Bentley's main competition for the Republican gubernatorial nomination, surprised a number of political pundits who had him pegged as a racial moderate. It looked as if both major GOP hopefuls in the Georgia governor's race are taking their cues from their segregationist Democratic governor.

In fact, Sen. Bateman publicly supported parents protesting school integration in Macon, his home town. He went to Washington on behalf of "slow-down" efforts and generally played the old Southern political game of holding out hope for a reprieve from enforcement of the law. Bateman suggested, however, that Maddox's call for a boycott of Atlanta schools and his support of student protest marchers were "disruptive and endangering the public schools in Georgia." He said the federal courts "have gone too far," but also said laws must be obeyed.

The only state politicians to speak out loudly, clearly and immediately for reason were former Gov. Carl Sanders, a Democratic gubernatorial candidate this year, and former Gov. Ernest Vandiver. Both men established somewhat shaky reputations as racial moderates during their terms. On the same day that Maddox was urging students and teachers to boycott the schools, Sanders called for an end to "mob rule" and said that Atlantans "just can't pull the house of education down on our heads." (Georgia politicians talk that way.) Vandiver, who was on the hot seat when Georgia was first ordered to integrate its schools (and who played a leading role in seeing that they remained open), issued the strongest statement of any political leader in the state *or* the city up to that time. Said Vandiver: "I urge the people in control, the local and state school superintendents, to work it out and explain it to the people . . . I think what the leaders should do is explain it to the people as best they can and do what they have to do . . . Taking to the streets I would not consider responsible, and leaders have got to be responsible."

The man who may be Sanders' principal opponent for the Democratic nomination for governor (unless Gov. Maddox does become a candidate), former State Sen. Jimmy Carter, also has been regarded as a racial moderate. But what he said on television sounded like the kind of statement segregationist politicians made during the 1950's. He said that "both black and white leaders recognize the natural desire of most students to associate primarily with others of their own background, interests and heritage," and he added: "Those who wish to associate with those not of their own heritage should have the right to do so but not be forced into it." Carter later made comments that sounded much less like a call to the defense of an illegal status quo, but, in the meantime, his position must have set well with George Wallace's admirers.

As of mid-January, residents of Atlanta had seen very little evidence of concern on the part of the city's leaders, who were, for the most part, strangely quiet. Neither new Mayor Sam Massell, a man with a liberal reputation who swept to victory in the October city election on a huge Negro vote, nor retiring Mayor Allen, who had bitterly opposed Massell, had had much to say. Massell, cautious in the use of his unfamiliar authority and perhaps anxious not to worsen a schism between his office and some of the city's more conservative business leadership, issued a firm but mild statement on Jan. 11 calling for a "positive approach" to compliance and asking that people "face this matter in a calm manner." Massell seemed anxious not to commit the powers of his office too soon in a situation which, privately, he knew might get worse when the actual integration began. Still, it was a questionable decision on his part not to intervene forcefully. For his part, Allen was mostly quiet. He spoke up once, noting that the people of Atlanta had always faced crises with "wisdom" and asking the court for a delay until March 4 for faculty integration. (Judge Hooper granted the delay.)

BUSINESS LEADERS

The relative quiet of both Massell and Allen was surprising, but the new-found taciturnity of the city's business leaders, particularly the leaders of the Atlanta Chamber of Commerce, was astonishing. It was the Chamber, so the story goes, that, through its mixture of business and civic leaders (almost one and the same under Allen), had reputedly forged the climate of racial tolerance in the '60's which was at least partially responsible for the city's great economic growth and for creating, nationally, Atlanta's reputation as the most progressive city in the South. Yet, here were the same business leaders, faced with a crisis of potentially city-wrecking proportions, and by mid-January all they had mustered was a sickly resolution, urging calm and support of the school board, which not all of the Chamber's board of directors would even sign. (Jesse Hill, a Negro who sits on the board, refused to sign because the resolution said Atlanta had an excellent school system, an assertion with which Mr. Hill and most Atlanta Negroes take violent exception.) Meanwhile, public officials and private citizens who went to the Chamber's offices urging that the Chamber take a position of strong leadership in the developing crisis were turned away with negative responses.

Some of the mainstays of the city's downtown business community were still smarting from the wounds of the October city elections. Politically victorious since 1937 in the mayoralty races, the "power structure" had seen its candidate, Rodney Cook, defeated by a combination that included black voters, white liberal voters and leaders of organized labor.

THE PRESS

While the city's business leadership licked its wounds, the Atlanta press, normally competent in dealing with racial questions after the fact, as late as mid-January still seemed confused at times as to what exactly was going on either in court or in the city's schools. It was a mixed performance, in part good and in part insensitive or careless,

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Mr. Winn, a free-lance writer, has closely followed public affairs in Atlanta as a reporter and editor. Until recently he was managing editor of ATLANTA *Magazine.*

at least. On Jan. 8 the Atlanta *Journal's* eight-column headline in the late edition suggested a panic of teachers: "NUMBER OF ATLANTA TEACHERS APPLYING FOR JOBS IN SUBURBS." The story did not support what was, on the face of it, a "scare" headline." It revealed that no one knew the number of teachers who had applied and, from the facts in the story, the number at that point appeared to be small. The next day the *Constitution* had a sports-page story headlined: "City Faces Mass Coaches Walkout." Most of the coaches, according to the story, resented being transferred from schools at which they had established successful programs, but the story offered little evidence of a "mass coaches walkout."

On the positive side, Editor Reg Murphy of the *Constitution* wrote several columns, before leadership was much in evidence anywhere, strongly urging compliance. (He supplemented moral arguments with a familiar one: that Atlanta should ponder what the rest of the nation would think if it failed to integrate its schools peacefully.) And in the *Journal,* several strong editorials urged compliance with the law, on moral as well as civic and business grounds. Both papers' education reporters worked hard to explain the complex situation, and both did respectable jobs. Yet—and there seemed to be little argument among informed Atlantans on the subject—neither paper seemed to be playing the forceful role it had taken in some previous crises.

PRIVATE SCHOOLS

Procrastination on the part of the city's civic and business leaders provoked the wrath of Atlanta's Negro community. On Jan. 10, the Rev. Sam Williams, a Negro and Atlanta's "Clergyman of the Year," finally accused the city's traditionally timorous Christians of moral pussyfooting, and said they should come out positively for integration "because it is right . . . If they can't say that, then they ought to keep their mouths shut."

The next day, Atlanta Archbishop Thomas A. Donnellan announced that no public school students would be able to transfer to Catholic schools in the city to avoid integration. The statement came at the right time: many of Atlanta's white parents were trying to get their children into some of the city's northside private schools. Headmasters at Westminster and Lovett, two of Atlanta's best private schools, said they had capacity student enrolments, but one such institution of learning, Pace Academy, appeared eager to fill up its student quota any way possible. The administration there announced it would hold a "special test session" to accommodate students fleeing the public school system.

THE OLD BOARD

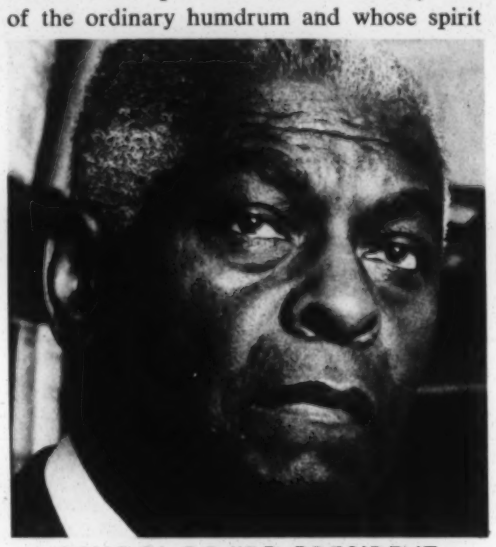
For their part, the city's Negroes had never been altogether certain where the business-political leadership stood, even during the administration of Ivan Allen. Behind the city's glossy "image," there were two Atlantas. A part of the bad Atlanta was the city's public school system. By Jan. 11, 1970, the Board of Education had been in court for exactly 12 years fighting to slow integration. During that period, the board's attorney, A. C. "Pete" Latimer, and his assistants had made more than 290 legal maneuvers designed, overall, to slow the movement of Negroes to white schools. In 1968 alone, the board was reported to have spent more than $61,000 in legal fees—most of it going to Latimer and his staff—to prevent faster change. While the Board of Education was spending huge sums to keep the system segregated, Atlanta's black children were being denied their rights to a decent education and, at the same time, Atlanta was being promoted all over the nation as "the city too busy to hate."

"How in the name of God," said a prominent Atlanta Negro leader during the January school crisis, "can the white people of this city be 'surprised' by integration? They've had 15 years to get ready for it. Fifteen years! And now they say they can't be ready by February or March or September. How can they say that?"

How indeed? How can a city's leadership, even one cast in the middle-class, suburban ethic of Atlanta, remain silent while so many of the city's people remain second-class citizens? What conclusions can one draw about such leadership? Was that leadership, like so many Southern Gothic romances, merely a creation of the middle-class white man's one-dimensional imagination? Was it a myth, fostered and promoted by the city's powerful and influential business community for the sole purpose of luring outside industry to Atlanta?

LEADERSHIP VACUUM

One thing was made quite clear by the city's recent racial turmoil. That is that Atlanta, for many months past, has been operating in a leadership vacuum. Too many of the city's leaders, men of spirit as well as foresight, have died or, made distraught at the inbred commercialism of Atlanta's civic soul, have moved elsewhere. Gone is Martin Luther King Jr., the man whose mere presence lifted the city out of the ordinary humdrum and whose spirit



SCHOOL BOARD PRESIDENT

Dr. Benjamin E. Mays

seemed to infuse the black community with courage and determination. Gone also is Ralph McGill, a man whose daily column in the 1950's and early 1960's made an ordinary newspaper rise to distinction. McGill's powers and influence waned some years before his death in January, 1968, but he was, for many years, a man of substance and courage. More importantly, for the Negro leaders in Atlanta he represented a white man who had moved from racial prejudice to view all men, black or white, as equals, and his daily struggle to explain that transition to his friends and enemies was often gripping journalism. These two men, to a large degree, *were* the public conscience of Atlanta, and their deaths marked the passing of an era in the history of the city and the South.

Gone, too, is Eugene Patterson, editor of the *Constitution,* close friend of McGill; and a man who was able to jab the city's business community in its soft underbelly when it needed it, which was often. And gone are a host of journalists who tried to keep the city's people informed on what was really going on, and who paid the price. No city can lose men of the caliber of King and McGill and not suffer a decline in spirit. Nor can any city blandly reject its most talented and dedicated critics and hope to emerge with a fair view of itself.

As for the business leadership, the truth is that it has a poor track record of late, and some of its edginess is understandable. In the past two years, the Atlanta Chamber of Commerce failed in efforts to annex Sandy Springs, a relatively high-income suburb; lost in efforts to win voter approval for rapid transit funding; and saw highly-touted efforts in the arts move from national acclaim into deep financial difficulties. Concurrent with these defeats, was this leadership, in fact, giving way to younger leaders who were not antagonistic to the business-politcial powers of the 1960's but who were looking more than their elders to the 1970's?

YOUNGER LEADERS

Younger, generally more liberal behind-the-scenes Atlantans did play a significant role in the city's October election. The mayor's race, the Board of Aldermen and the Board of Education elections were all directly influenced by such groups of young lawyers, businessmen, and just plain interested citizens. In fact, two groups, Good Government Atlanta and Better Schools Atlanta, vitally affected the elections and may, between them, fairly claim to have set the course of the city's destiny for the next decade. Good Government Atlanta is predominantly white. Better Schools Atlanta, mainly white, nevertheless has had substantial black support. These two organizations would have had much less impact without the help of black voters and young black business, professional and political leaders. But, having that support, the two groups suddenly have had enormous influence on the city's future.

Good Government Atlanta, a small organization of young professional men (most of them lawyers), hand-picked candidates for the Board of Aldermen and the Board of Education, and with the support and vigorous backing of the Better Schools Atlanta group, put their candidates into office in what may be one of the most significant local elections in recent Southern history. In one election, the Board of Aldermen went from one Negro member (of 17) to six (of 19). The Negroes elected to the board were Q. V. Williamson (an incumbent), Joel Stokes, Ira L. Jackson, Marvin S. Arrington, H. D. Dodson, and Vice Mayor Jackson—several of whom had the backing of the Good Government organization. Good Government Atlanta also backed several other successful candidates for the board. Since the Atlanta aldermen are elected citywide, the October results were impressive, indeed.

The Good Government group, headed by attorney Michael Trotter, also played a leading role in getting better qualified persons elected to the Board of Education, a body which previously had distinguished itself mainly by earning the enmity of Atlanta's black community. Better Schools Atlanta, a group of private citizens who formed the organization in 1968 because of their concern over the state of public education in the city, also played a vital role in getting more progressive candidates elected. BSA, headed by Robert Tuve, was particularly effective in helping create an atmosphere of open debate (anathema to the old school board) and free discussion of the city's school problems.

In October of 1968, BSA released a report on the Atlanta School System which revealed the gross inequities in the city's public schools. The report, which was carefully researched and fully documented (through the help of a school board member who was able to supply information BSA might otherwise not have gotten), pointed out that as of March, 1968, 92.3 per cent of black elementary pupils attended all-black schools; 65 per cent of the system's elementary schools were totally segregated; and Atlanta's integrated elementary schools had a combined student body that was 22.8 per cent black, but a combined faculty only 5.7 per cent black. It also noted that by the eighth grade, pupils in black schools were more than four years behind their peers in white schools and pointed to a host of other ills that clearly showed the system's discrimination against Negroes.

For their troubles, BSA members were subjected to considerable ridicule and Tuve was even investigated by a school detective under the direction of the school board attorney, A. C. Latimer. There was a public outcry when the detective's role was made known by the Atlanta *Journal,* and Supt. Letson had to call a halt to that particularly unsavory expression of attitude on the part of the board.

What the BSA report revealed was a gross gap in communication between the school board and the Negro community, a finding that was subsequently verified by a special study of Atlanta's school system carried out by the National Education Association. The NEA report, which was released in August, 1969, was much broader than the BSA report and, if anything, was more condemnatory of the city's public school posture. The NEA found Atlanta schools mostly segregated or resegregated, unequal, subject to overcrowding in Negro neighborhoods, and generally designed to educate whites—not blacks. It also confirmed that a serious communications gap existed between the board and the city's Negro communities. Said the NEA: "Black residents of Atlanta complain that not only are white interests overly represented on the board but that the board majority is predominantly representative of banking and business interests, as well. The present composition of the board (this was prior to the October election) is as follows: three bankers, one educator, one federal loan agency head, one doctor, one housewife, one airline executive, and one Federal Housing Agency executive." This was the board that, on the whole, the voters rejected in the October election.

The election of the new board president

Bentley

Massell

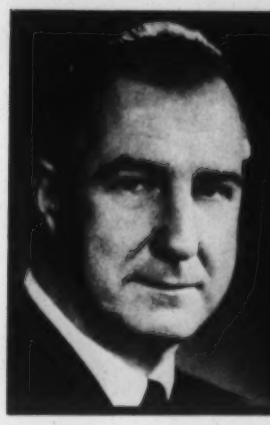
produced a moment of quiet drama which, on the old board, would have been impossible. On the first ballot, Dr. Benjamin Mays, a noted Negro educator and retired president of Morehouse College, was elected chairman by a vote of six to four. A carefully worked out plan that would have elected him on the second ballot proved unnecessary, and Dr. Mays took the reins in a move which board member Jerry Luxemburger says "restored the faith of the Negro community in the board." The new board is made up of two housewives, a surgeon, two bankers, an airline executive, a lawyer, a real estate manager, and two college presidents (one retired and the other still active).

"I think the fact that we were just coming into office when this thing broke had a lot to do with the way we handled it," said a new member. "On the other hand, thank God the board did change hands, because the old board could never have proposed a neighborhood integration plan. They would have been suspect in the black community, and it never would have worked."

THE FUTURE

There was little assurance by mid-January that the new board's integration plan would work, either. It is basically a zoning plan that, while heavily integrating the southside of Atlanta (where most blacks and low-to-middle-income whites live), leaves the plush northside largely untouched in student integration.

In the trying weeks that lay ahead, one could only hope that the city's public leadership would begin to assert itself. One could also hope that the real reason such leadership had been dormant was the difficulty attendant to the transfer of authority. It would be tragic if the new leaders, both public and private, proved less capable than their predecessors, less durable than the old business-civic coalition that ran the city for 30 years. If anything, the new leaders must be more durable, permanently attuned to the needs of all the people, and permanently ready to offer Atlantans something more than economic prosperity and a swinging national image.



Agnew's Forays Suggest Strategy

By REESE CLEGHORN
In The Baltimore Sun

Atlanta.

ice President Agnew, who suddenly has made his name a front-porch word in the deep South, unquestionably will be an asset to most Republican congressional candidates in the region next year. He will be, that is, unless his assignment is changed because of pained cries from middle-of-the-road and liberal Republicans elsewhere who could be damaged by an in-house George Wallace.

If they do cry, of course, and if President Nixon does revoke the Vice President's obvious assignment to capture the Wallace sympathizers, then Mr. Agnew will not soon again make the covers of the national magazines. (The more timid television networks, on the other hand, may give him more time to say less, and without much "instant analysis and querulous criticism" afterward.)

Mr. Agnew overnight has become a figure of political consequence in the South. In a mid-November Gallup Poll, according to *Newsweek,* 25 per cent of the Southerners questioned gave him a "highly favorable" rating; Mr. Wallace did only 3 per cent better. Nationally, the poll indicated a "highly favorable" score of 19 per cent, compared with 17 per cent in July.

Within the South, some explanations of the Agnew popularity are clear. His words about integration, liberal intellectuals, protest marchers, mass media and the South itself are almost indistinguishable from Mr. Wallace's except in their lack of southern-fried folksiness.

His New Orleans speech Oct. 19 was widely reported because of the heat of his words about anti-war demonstrators ("an effete corps of impudent snobs"). His subsequent criticism of television also created great interest. Less widely noted have been some of his comments aimed more directly at the segregation-minded part of the South.

He said, for instance, to the Southern Governors Conference Sept. 16 in Williamsburg, Va.: "Now, this administration favors integration, but not mandatory and forced, artificially contrived social acceptance. . . . I mean that if people live in a neighborhood, they're entitled to be associated together."

Mr. Wallace or Georgia's Gov. Lester Maddox could have said almost the same thing. They might not have said they favor integration, but they do not say they oppose it. They simply say what Mr. Agnew said: that it should not be mandatory and forced, a position which places him in direct opposition to civil rights laws and the federal courts. When Mr. Agnew makes such statements, the segregationist part of the South understands him perfectly. These are the same words that now are in vogue among even the most relentless segregationists.

The vice president said much the same thing at a rather astonishing but little-reported event Oct. 20 in Jackson, Miss. It was a $100-a-plate fund-raiser for the Mississippi Republican party. Some 2,600 people attended, contributing $250,000 to the party. Among those in prominent places (and apparently active in behind-the-scenes roles helping to raise the money) were some leading Mississippi Democrats, including Gov. John Bell Williams, always one of the South's most vociferous white supremacists.

Mr. Agnew's speech brought exuberant cheers. He said the South too long had been "the punching bag for those who characterize themselves as liberal intellectuals." Southern segregationists have been using the "punching bag" phrase for decades and to the Jackson audience the vice president must have sounded like a Mississippi gubernatorial candidate.

Mr. Agnew went on to say that the Nixon administration had done its best on behalf of Mississippi and its schools to gain additional time for desegregation. It was pitted against the National Association for the Advancement of Colored People on this issue, he noted, in an effort to prevent the kind of haste that would amount to "destroying quality education." (The Supreme Court had not then ruled in the Mississippi schools case; its unanimous decision for immediate desegregation means, by the Agnew definition in Jackson, "destroying quality education.")

The vice president's rebuke of television news analysts and the subsequent extension of this critique to newspapers by Herbert G. Klein, the administration's communications director, also fell on receptive ears among Southern segregationists. Mr. Wallace, Gov. Maddox and others of their point of view have always succeeded in arousing audiences with acid comments about the "liberal intellectual" press.

In Southern constituencies where Republican candidates adopt moderate-to-liberal stances, of course, the Agnew approach may not be politically helpful. During Linwood Holton's successful campaign for governor of Virginia he was seeking the support of moderates and liberals, and an Agnew speech at a Holton fund-raising event apparently turned out to be embarrassing because of the heat of its attack on the "radical philosophy" of the national Democratic party.

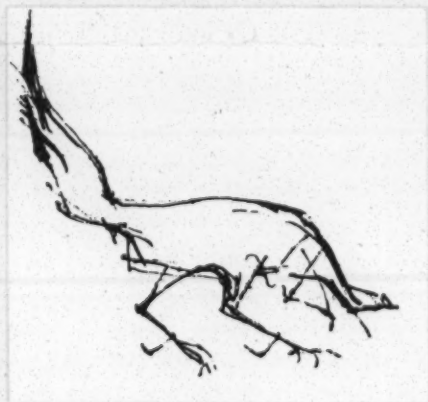
But in most of the South, Republicans in 1970 will be running on the right side of their Democratic opponents. Undoubtedly the Agnew rhetoric, if it continues, will help them win over the Wallace voters.

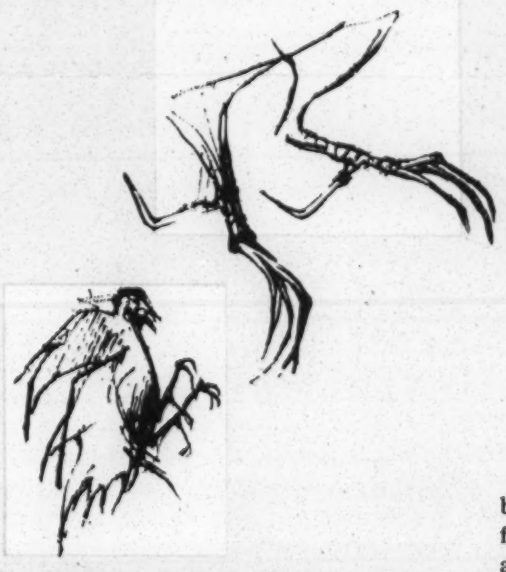
In the 1968 presidential campaign, the Wallace percentage of the vote was 65 in Alabama, 63 in Mississippi, 48 in Louisiana, 43 in Georgia, 40 in Arkansas, 34 in Tennessee, 31 in North Carolina, 31 in South Carolina, 29 in Florida, 24 in Virginia and 19 in Texas. (These 11 states account for 128 of the 270 electoral votes now needed to elect a president and all but one—Texas, Lyndon Johnson's home—went for either Mr. Nixon or Mr. Wallace.)

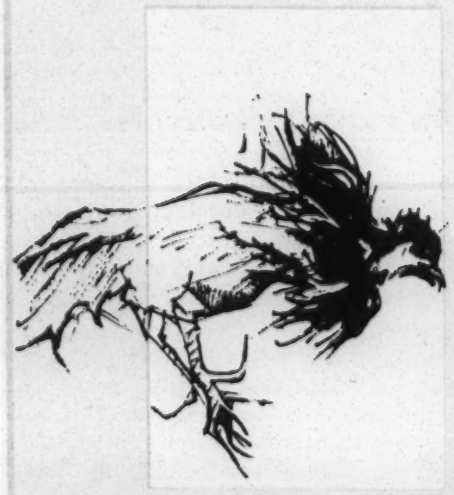
Because of the general posture of the Nixon administration on racial matters and the conservative cast of the Republican party in most of the region, most GOP congressional candidates will have difficulty winning Negro votes. Most will hope, instead, to win the Wallace voters.

Cock Fight!

By PAT WATTERS







Drawings by Marge Manderson

I went once on a cold winter's day, with a bottle of Jack Daniels sour mash whiskey for sipping among three of us, to a backwoods clearing, the turnoff from the dirt road marked by a dead hawk hung on a tree, to a clandestine gathering of Southern country white men who still persist in the illegal sport of cockfighting. There was a barn fitted out with grandstands and a cement circle, and there was a crowd of men, mostly in overalls, and there were trainers and owners, and there were the cocks, every ounce of them belligerent.

I had expected to be sickened, to gaze once more in a new context into the depths of the ugly and demented side of the white South's psyche. I found something quite different. There was dignity in the people there, the dignity of *aficionados* (the cross-lingual reference is appropriate; what might the South be if its violence might be respectably ritualized?), and there was majestic seriousness to the undertaking, to the elaborate ritual of the actual pitting of the cocks against each other, and there was decorum through the long day of the contests with its constant and impressively large betting and its equally constant whiskey sipping, and there was camaraderie, again dignified and decorous, among all of us there so involved together, and there was, most of all, the expression, abstractly, of the virtues of the crowd, of a people, a culture, expressed by the fighting cocks—the chickens, the crowd called them, "That red chicken's a game un," "Get 'im yeller, git 'im yeller chicken:" ferocity, braveness, endurance, stubbornness, stubborn refusal to lie down, to die, gallantry.

I went expecting to scorn, to find the cocks in their ritual suffering, ritual death of a higher order of animal than the men pitting them against each other, a reproach to them. I found instead a real bond between the men and the game cocks—the trainer gently, lovingly, picking up his downed bird and literally breathing life back into him, the limp head in his mouth, then thrusting, throwing the revived warrior back into the battle, neck arched, feathers ruffled all over him, silent and deadly purposeful, like as not, to win.

The realization came early that the birds were bred to battle, delighted in it, had no other meaning. The realization came slower of all the care and love of this spectacle that was expressed even in the construction of the grandstands, the fighting pit, a feeling not to be found in the physical constructions centered on art and culture in the South. The final realization was a matter of years in coming, the understanding of why, in this barbarous, illicit setting, I had felt more rapport with, more respect for my fellow white Southerners than I ever had before, and more strongly experienced that old, gnawing wish—that somehow, somehow they might find the way to the true dignity and majesty of what they are.

Mr. Watters is information director of the Southern Regional Council. This article is from his book THE SOUTH AND THE NATION, just published by Pantheon Books.

Guns . . . From Page 1

gone out with smallpox and yellow fever. They no longer have a place in our society."

Houston papers take note of the fact that they are the murder capital of the world by including at the bottom of each homicide story a box score showing how the bodies stack up compared to this time last year. They stack up pretty good. About 240 a year — or more than the countries of Australia (61), Canada (99), Denmark (6), England and Wales (24), Scotland (3), and Sweden (8) combined.

"Urban dynamics!" cautions Frank C. Daniel, secretary of the National Rifle Association of America. "What would be good policy for New York City would not necessarily be good for Tombstone, Ariz. Urban dynamics. Local custom . . . practice . . . tradition." Until the revolutionaries [leftwing] and counter-revolutionaries [rightwing] came on the scene a few years ago the NRA was out there alone fighting the battle to arm the population. For pure organizational force there is no propaganda machine anywhere approaching the NRA's not even the various lobbies representing the $1.5 billion firearms industry.

In defeating the contention that low homicide rates in England and Wales (24 murders in 1968 against 5,126 in the United States, a country with only four times the population) can be attributed to tough gun laws, a Nixon appointee in the Justice Department scores neatly: "This ain't England. England doesn't have 10 million licensed hunters. Who hunts in England? Land barons . . . counts . . . a few privileged commoners. On the other hand we're a wild, woolly, free-wheeling, gun-toting frontier society. I'm not defending it, but we have to deal with reality."

Mr. Cartwright, an Austin novelist and journalist, is author of THE GREAT ISSUES DEBATE, which will be published this year by Doubleday. He is a contributing editor of The Texas Observer.

Since the 20,000 state and local laws now on the books are virtually meaningless without a federal law to control the flow of firearms from one state to another the target is always in sight. The target, it turns out, is the United States Senate. That is where gun laws are shot down. "Not the House," says a Washington lawyer who has worked on gun legislation for the Senate, "The Senate! In the history of our nation two meaningful gun control laws passed the United States Senate. One in 1934 banned machineguns, and one in 1968 attempted to control the interstate movement of firearms."

In the first seven months after the passage of the 1968 Gun Control Act, Texas and 27 other states passed "contiguous" laws which in effect took the wind out of the federal law. Anyone who is sober and looks to be older than 18 can buy a gun in Texas. There is no waiting period, no screening procedure, no questions. Only in eight states—Hawaii, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, and certain counties in Virginia—is a permit required to purchase a handgun. Illinois requires an identification card for the acquisition or possession of any firearm. Mississippi requires that handguns be registered.

New York and Massachusetts are the only states which have enacted legislation permitting police to screen and control handgun applicants. You can make what you want out of the resulting data, but in New York the percentage of gun use in violent crime is 23 per cent below the national average and in Boston 28 per cent.

Those 24 million handguns that the commission wants the government to buy up, where are they? Who owns them? No one really knows, but they seem to be in stockpiles (in 51 per cent of the households there is no gun of any kind, the commission reports), and more of them seem to be turning up in the cities, particularly in trouble areas. NRA members own an average of 11 firearms. To a warning that lists of gun owners would play into the hands of demonic enemies of the republic one critic observed: "The best damn list in the country is right there in the NRA building."

Says Dan Lewis, a legislative assistant to Sen. Joseph D. Tydings (D.-Md.), probably the strongest anti-gun voice in Congress: "You don't have to convince the people of New Jersey that gun laws are needed. The problem is convincing the rest of the country—especially the South, Southwest, and Far West—that the urban areas need their help."

Help is not coming. For example, in

Texas, where a citizen can carry a loaded rifle or shotgun down Main Street, where he can legally shoot his wife's lover if he catches him in a compromising position, there were two "gun bills" introduced last spring. Although neither of them passed or even came up for a vote (politicians conveniently sidestep and thereby neutralize the gun issue by keeping it off the floor) it is interesting to examine the philosophies of the two men who carried these bills.

Representative Graves of Houston is serving his second term in the Texas House. He was the first black elected to the statehouse since Reconstruction. Politically ambitious (he was an unsuccessful candidate for mayor of Houston this fall), Graves nevertheless put it on the line with one of the strongest gun bills ever considered in Texas.

"I pointed out," Graves is saying, "that 40 per cent of the killings took place the same day the gun was purchased. So the key provision of my bill was a 10-day waiting period . . . a cooling-off period. The other provision was a license, something like the Texas driver's license with the applicant's picture, name, address, sex, height, weight, date of birth. They would be issued by local or state police agencies. It wasn't an arbitrary power: the only people who would be refused were felons and nuts.

"Then I told them that in a one-block stretch between the [Houston] courthouse and Main Street there were three places a man could buy a pistol for under $3."

What happened next is what happens anytime gun control measures are introduced in this country: the NRA published the proposal in its official magazine, *The American Rifleman,* and in the week that followed Graves was harangued with 960 letters "accusing me of being a communist, a Nazi, a traitor, even a nigger lover."

Graves shook his head: "They said I was trying to take the pistol away from the American sportsman." . . .

The other Texas legislator is Russell Cummings: white, middleaged, middleclass, also from Houston. Without saying it, Graves and Cummings seem to agree on the point: the gun issue has racial overtones.

This past spring the Texas Legislature, by unanimous votes in both houses, approved legislation granting Texans the right to purchase rifles, shotguns, and accessories by mail from adjoining states. The new statute was necessary to exempt Texans from coverage of federal legislation that prohibits buying firearms by mail out-of-state. The measure was sponsored by liberal Sen. Charles Wilson of Lufkin and conservative State Rep. Rayford Price of Palestine.

J. Edgar Hoover in particular and law enforcement people in general favor such permissive firearms' controls as registration although they are divided on the more restrictive practice of licensing. Existing agencies such as the Texas Dept. of Public Safety aren't budgeted to handle such a load: experience has taught them to be wary of bright ideas.

Texas' top lawman, Colonel Speir, says, "I agree that we need strict controls, but a better approach would be strict penalties. Let me repeat what I've said so often, if a person is dead set on killing he'll find a weapon. You've got to have a society willing to discipline itself: we've been too lax for too long." Speir, a large man who looks like a Texas Ranger miscast as Judge Stone in an Andy Hardy movie, went on to point out that the courts have become "too technical," this greased by the fact that "here in Texas we haven't executed anyone in five years."

"I would be all for some kind of waiting period," Speir said as an afterthought. "It would give us time to check on who's buying the guns." . . .

The Violence Commission has stumbled onto a puzzle in the pattern of our paranoia. Why the handgun? Why not the shotgun, which is more menacing and versatile, easier to aim and less likely to kill?

The answer is pop psychology: the pistol is to the shotgun as John Wayne is to Walter Brennan. A pistol is sexy. In his thoroughly documented book, *A Right to Bear Arms,* gun opponent Carl Baker records this conversation with a psychiatrist friend, Dr. Alfred J. Siegman:

"Is such symbolism attached to the [hand] gun because of its size and shape?"

"Well, not only for that reason," he said. "It pierces, it penetrates, it discharges, much like the penis." Cowboys strapped it around their waists: it occupied their thoughts. In modern times it is concealed. Instead of being attracted by the light its sexual renaissance is moving toward the shadows.

In a fit of black humor one Washington gun control crusader observed recently: "What we need to get this [gun bill] off the ground is a few more assassinations."

This is no doubt an accurate reading of conditions. The Nixon administration takes the position that "the results of the 1968 act are still inconclusive." They are likely to remain that way. Besides, a spokesman told a congressional hearing a few days before the Violence Commission report, "Federal registration and licensing proposals . . . constitute an unwarranted invasion into the province of state and local government."

Back in Austin, I drove to the eastside, past Mrs. Loper's apartment where a man in a tan service uniform was mopping up, making the unit ready for its first new occupant in 14 years. I talked for a while to a woman who runs the housing project and she pointed out where the killer lived. You could see it from Mrs. Loper's place.

The killer was a 62-year-old blind black pensioner named Tom. Tom had lived down the street longer than neighbors could remember, longer than Mrs. Loper had been a neighbor. If you can call someone you've never met a neighbor. But there were kids playing in the street, white kids and black kids, just as there had been that night Mrs. Loper was killed.

Tom told police he was sitting on his front porch behind a field of bedsprings, old tires, and dry waist-high Johnson grass, just rocking and enjoying the view, when he heard something rustling in the weeds. Some kids had been making fun of him, throwing rocks and threatening his wife, so he had bought a gun. It was in his lap on the night in question, he heard menacing noises, he raised the gun, and he fired.

Two hundred and ninety-three feet away Mrs. Loper bent over a garbage bin, emptying her last pail of garbage.

According to local custom Taylor was bound over to the grand jury, which immediately indicted him for second degree negligent homicide. In Texas, first degree negligent homicide is the taking of a human life while committing a legal act (such as driving a car). The penalty is two years or $2,000. Second degree NH is the taking of a human life while committing an illegal act (in Taylor's case discharging a firearm in the city limits) and the penalty is three years or $3,000. Since Taylor and his invalid wife existed on less than $3,000 a year, what followed was more local custom: Taylor was held without bond in county jail.

I asked Austin Sgt.-Inv. James Freeman about Taylor and the pistol and the whole freaky mess.

"Man's got a right to defend his home," said Freeman.

"I guess so."

"You can't no more outlaw guns and keep people from getting one than you can dope."

"Even if he's blind?"

"It's against the First Amendment!" another detective said bluntly, as though it really were.

"You mean the Second Amendment?"

"Whatever the hell it is!" the detective said, anger swelling in his strawberry pudding face. "All that nigger did wrong was pull the trigger. He shouldn't of ever pulled that trigger."

The South Sets the Pace

The South leads the nation in murders and non-negligent homicides. Texas, although one of the national leaders, has its peers within the region.

Federal Bureau of Investigation statistics for murders and non-negligent homicides in 1968 show a national figure of 6.8 per 100,000 population and an 11-state Southern figure of 10.6. (The figure for the Northeast, by comparison, is 4.8.)

Southern states and their rates per 100,000:

Georgia, 13.9; South Carolina, 13.6; Florida, 11.9; Alabama, 11.8; Texas, 10.6; Mississippi, 9.9; North Carolina, 9.7; Louisiana, 9.5; Tennessee, 8.7; Virginia, 8.3; and Arkansas, 8.1.

By Gary Cartwright

In The Texas Observer

'Beautiful Bogalusa'

By BRUCE GALPHIN

In The Washington Post

Bogalusa.

Beautiful Bogalusa," reporters used to scoff when racial violence erupted here in 1965 and again in 1967.

This East Louisiana paper mill town of 25,000 was a stronghold of the Ku Klux Klan as well as the birthplace of the militant black Deacons for Defense. It took repeated interventions by the Justice Department and other federal aides to restrain the troublemakers and restore the peace.

When it came time to "unitize" the school system—under federal pressure to get rid of the last visible vestiges of segregation—Bogalusa could reasonably have been expected to be a tough town.

Yet Bogalusa today has the most methodically integrated schools in Louisiana, and possibly in the nation. Enrollments not only in every grade, closely match the two-third white, one-third black of the population.

This city's performance is all the more remarkable in light of what has happened elsewhere in small-town Louisiana this fall as freedom-of-choice has been swept aside by federal courts and replaced by plans forcing widespread integration.

During the first few days of the fall term, an estimated 27,000 children, including some blacks, were boycotting schools throughout the state. School board members were being harassed and intimidated at stormy public hearings, by anonymous telephone calls and by acts of vandalism. In four parishes (counties) the pressure was so great that boards ordered schools closed, though their actions subsequently were overruled by the courts.

Two months later Louisiana presents the full spectrum of response to court-ordered integration, from the total compliance in Bogalusa to boycotts by more than half the whites in four Southern parishes.

As in other Southern states, segregated private "academies" are springing up so fast and so informally that nobody has an accurate count.

Hundreds, and perhaps even thousands, of children simply are not going to school at all. Again, it is impossible to know how many. Some children are taking advantage of the state's free textbook-loan program even though they are not enrolled in any kind of school. Some apparently are establishing addresses and attending schools in neighboring parishes.

Gov. John McKeithen has stated openly that Louisiana's compulsory school attendance law will not be enforced, and officials are not keeping tabs on delinquents.

Public school enrollment in Bogalusa has dropped slightly as a result of this year's "unitizing." A few whites may be crossing into neighboring Mississippi to attend classes, and city school superintendent Moise J. Israel says enrollment at two local segregated nonsectarian schools has increased.

But there has been no extensive boycott. One group that originally had called for a boycott reversed itself and said it would continue the fight in court. A second group vowed to carry on, but its efforts have not been successful.

Classes are not the only integrated part of life at the Bogalusa schools. Faculty segregation also has been ended. The band is about half black. The thoroughly integrated football team has been leading its division and winning thoroughly integrated cheers from local spectators.

The most serious trouble the schools have had this year resulted from election of the high school homecoming queen and her court. White students had enough votes to elect a white queen, but instead of allowing the black runner-up to sit on the court, rules called for a separate election for the court. (Similar situations have triggered disturbances in several Southern schools this year.)

Black students staged a sit-in in the halls. They were enjoined and scolded by the federal court.

The greatest irony of what is being called a model of integration may be the fact that the school superintendent who helped devise it doesn't like it.

"We're still for freedom of choice," Isarel said, "and a great many black are too... I think the right to choose your own school is the ultimate in constitutional rights."

Israel has been superintendent for 31 years. Prominent among the books behind his desk in Carleton Putman's *Race and Reason,* a controversial study alleging inherent racial differences in learning ability.

"We decided we had to make the best of the situation with the goal of fulfilling the responsibility to furnish the best possible education to the children," the superintendent said. He is proud of the fact that the ultimately adopted plan "was not handed down to us from Washington."

After freedom of choice was ruled out by the courts, the Bogalusa board proposed closing Negro elementary schools and sending black pupils to the white elementary schools. It also suggested merging the existing black and white elementary upper grade facilities into a junior high, intermediate school and high school.

The Lawyers Constitutional Defense Committee objected that some of the black elementary schools were superior buildings, and that only black children would be bused out of their own neighborhoods. But the board's plan achieved such total integration that the court bought it.

LCDC lawyer George Strickler of New Orleans believes white school boards in the South generally are reluctant to send white students to schools formerly indentified as black. Closing black schools has been a widely used devise for "unitizing" school systems—and incidentally has led to a number of black boycotts.

Israel insists that the board's sole reason for closing the black schools was to "move the blacks into an environment that was more conducive to learning."

But why so little trouble in Bogalusa?

One lawyer believes the cumulative effect of past Justice Department action may be a reason. The department since 1965 has obtained injunctions against the Klan and against job discrimination at Crown-Zellerbach, the chief employer in Bogalusa. And it obtained an order instructing city police and the local sheriff to protect persons exercising federally protected rights.

Israel believes the experience of integrated working conditions at the local mill has blunted racial tensions.

It is almost certain, too, that Crown-Zellerbach, which pays 60 per cent of the city's property taxes and employs 31 per cent of its work force, exercises 'subtle' restraints on violence.

Significantly, Israel said the board tried to avoid thrashing out integration plans at large public meetings, which he said were prone to be dominated by two extremes. Instead, he said he had "informal talks with the leadership."

Israel's caution is understandable in light of other school systems' woes. In St. Landry Parish, for instance, 2,000 angry whites turned out last summer to protest the school board's court-approved desegregation plan. The board bowed to their demands and voted to close the schools indefinitely.

Similar action was taken in Evangeline and West Baton Rouge parishes, and for portions of Ascension Parish.

Federal court orders forced reopening of all four systems.

West Baton Rouge, St. Landry, Evangeline and Pointe Coupee Parish public schools are at present the objects of the most intensive white boycott campaigns in the state with more than half and as much as 90 per cent of their normal white enrollment affected.

"We've got teachers in our own system preaching boycott," one superintendent complained.

The boycotts could cripple these school systems' finances, because state support is based on average daily attendance during the first 60 days of the year.

School Superintendent Nat Manuel of Evangeline Parish, site of a large new private segregated academy, said he hopes the state will alter its method of allocating funds. Total public school enrollment there is down from last year's 8,800 to 5,951 last week.

Public schools appear to have weathered the worst of the storm for this year. But next year is the deadline for final elimination of dual schools, and many officials fear this fall's flare-up was only a preview of even greater troubles.

Gov. McKeithen and Lt. Gov. C. C. Aycock recently said in a joint statement that they are not even sure the legislature will continue support for public education after integration orders are implemented statewide.

Both boycotts and private schools have been supported by Concerned Citizens for Quality Education, the core of organized resistance to massive integration in Louisiana. Concerned Citizens has "about 150,000" members in 33 parishes, says its leader, Louisiana Polytechnic Institute chemistry professor Donald Roberts, "but we have a lot more political muscle than that."

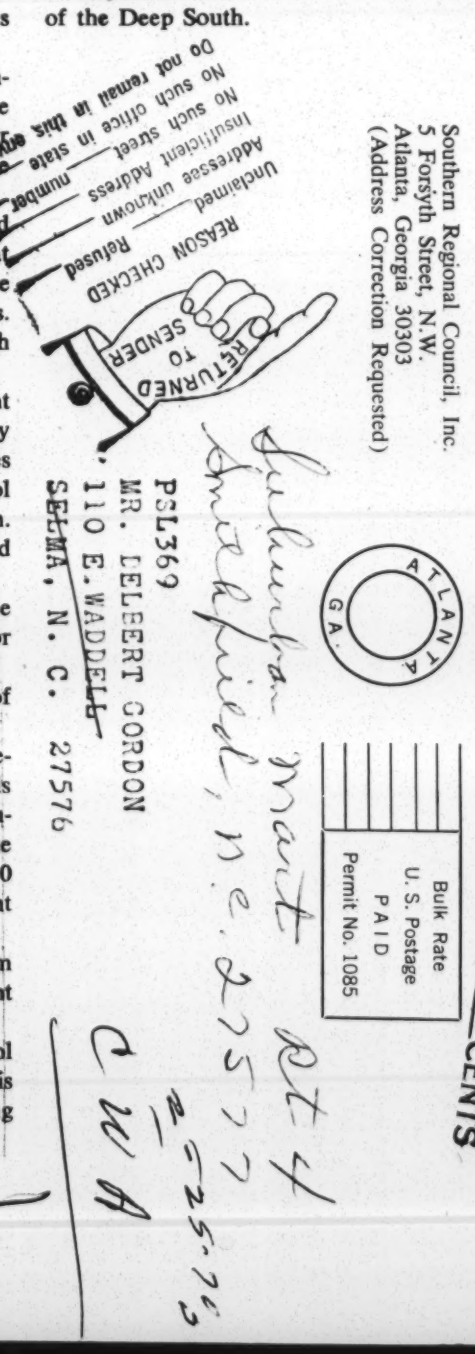
Roberts insists that the ultimate aim of the group, however, is not private schools but public neighborhood schools operating under freedom of choice.

According to Roberts, freedom of choice "allows the high quality Negro student to transfer to a white school. We are opposed to mixing two substantially different student bodies as far as educational ability is concerned."

Civil rights advocates, of course, have a different interpretation of the gap between white and black achievement test scores. The lower black scores are largely the heritage of a century of inferior schools, they argue, and the gap will never be closed until the dual school system is abolished.

That is an argument the Supreme Court bought in 1954. And now, 15 years later, the court has said there can be no more delays in implementation.

Roberts and many educators hope the court will change its mind again. Other educators hope time will change its mind again. Other educators hope time will work to prove the private academies and the boycotts impractical. It is a painful period of adjustment for Louisiana and the rest of the Deep South.



Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA 3, GEORGIA
JA. 2-8764

October 13, 1970

Please return this form in the enclosed envelope.

The envelope is stamped and self-addressed.

Thank you.

Sincerely,

Emory F. Via

Emory F. Via, Director
Labor Program

EFV/gms

TO: CWA Staff Members in the South

FROM: Emory F. Via, Director, Labor Program, Southern Regional Council, Inc.

DATE: October 13, 1970

For the past year you have received the publications of the Southern Regional Council dealing with a broad range of issues related to poverty and racial relations. It is unlikely that you have read all of the publications or all of the materials in many of them. However, we would like to know if you felt the publications were helpful and whether you were interested to find that such material is available even if all of it was not useful. Would you take time to answer the following questions:

____ YES ____ NO The SRC materials in general were interesting.

____ YES ____ NO They gave me useful materials to assist my understanding of the Changing South.

____ YES ____ NO The materials sometimes proved helpful in my job, such as providing ideas and information in talking with members.

About what percentage of the materials were personally of interest to you: 100____ 75____ 50____ 25____ 10____ 0_____

TEN STEPS TO SUCCESSFUL EXTERNAL ORGANIZING

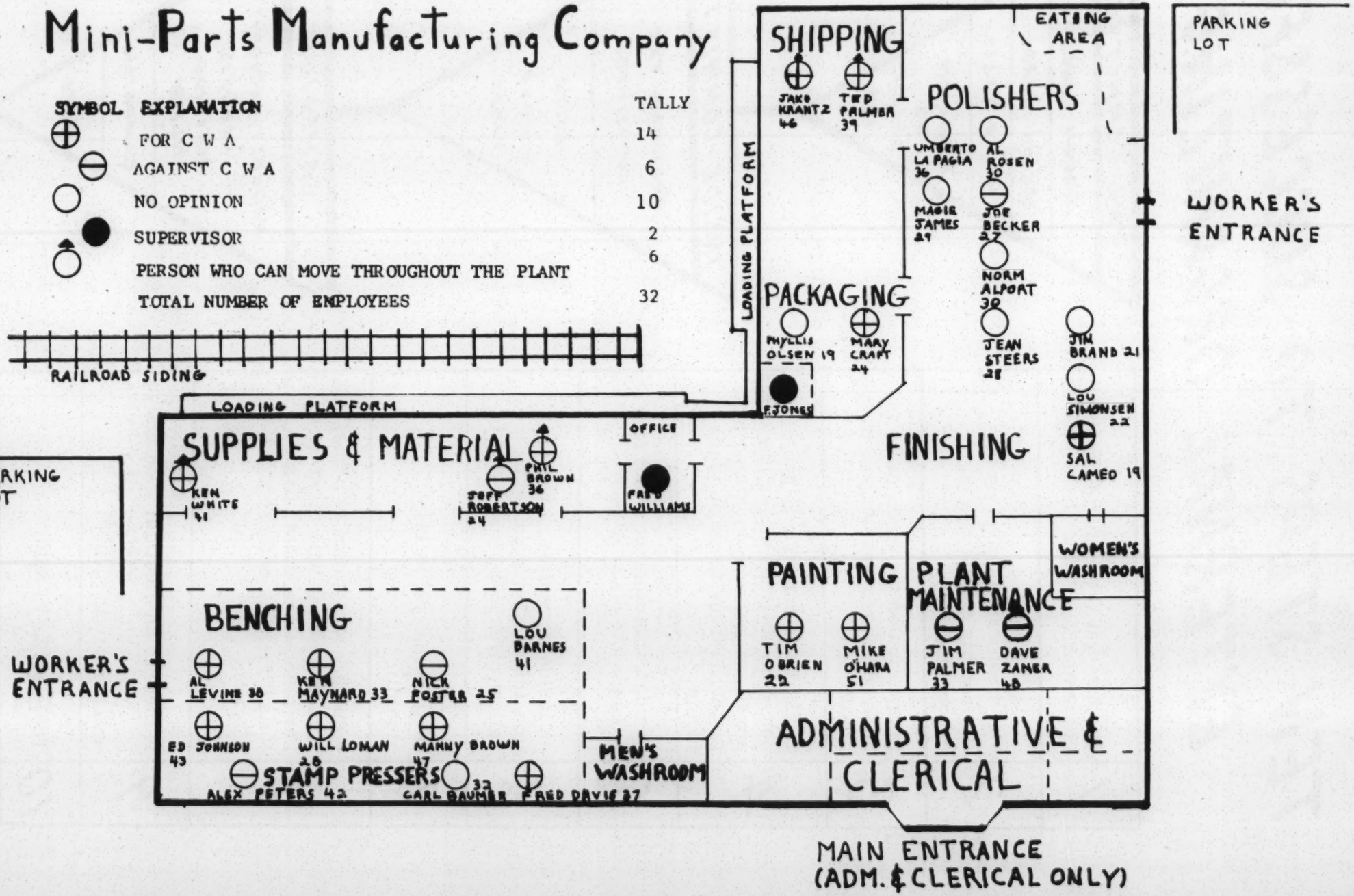
1	The External Organizing Committee is created.
2	The green card is given to the membership and its use is encouraged.
3	Information on the green cards is analyzed and companies to survey are chosen.
4	House calls are made to people named on green cards; yellow cards are filled out; work locations in target plant are noted on plant layout.
5	The decision whether or not to organize the place is made.
6	An inside committee is selected from information supplied by the yellow cards and house calls.
7	White pledge cards are signed.
8	Voluntary recognition is requested. If there is a refusal, the National Labor Relations Board, if it has jurisdiction, is petitioned for an election.
9	If there is an election, a campaign is organized to contact all workers and promote the union.
10	The election is held.

A

NF-1118

Mini-Parts Manufacturing Company

SYMBOL	EXPLANATION	TALLY
⊕	FOR C W A	14
⊖	AGAINST C W A	6
○	NO OPINION	10
●	SUPERVISOR	2
↑○	PERSON WHO CAN MOVE THROUGHOUT THE PLANT	6
	TOTAL NUMBER OF EMPLOYEES	32



SURVEY FACTS TO DETERMINE ORGANIZING POTENTIAL

EMPLOYER

Name _____ Years in Business _____

Address _____

Product/Activity _____

Owner _____ _____ Age: _____

Manager _____ Age: _____

EMPLOYEES

Total Number _____

Males _____
Females _____
White _____
Non-white _____
Age:
30 or under _____
Over 30 years _____
Non-English speaking _____
Married _____
Nationality Groups _____ _____
_____ _____

SURVEY FACTS TO DETERMINE ORGANIZING POTENTIAL

OCCUPATIONS

Type	Number

WORKING CONDITIONS

Wages	Per Hour	Per Week	Per Year
Average pay			
Minimum pay			
Maximum pay			

Piece work	Yes_____	No_____
Merit pay	Yes_____	No_____
Overtime pay	Yes_____	No_____
Shift Differential	Yes_____	No_____

D

SURVEY FACTS TO DETERMINE ORGANIZING POTENTIAL

WORKING CONDITIONS

Benefits

Number of paid holidays -

Vacations

	Number of Weeks	Years of Service
Minimum		
Maximum		

Health Insurance

Yes_____ No_____

Type

Pension Plan

Yes_____ No_____

Type

Life Insurnace

Yes_____ No_____

Type

Bonus Plan

Yes_____ No_____

Type

SURVEY FACTS TO DETERMINE ORGANIZING POTENTIAL

WORKING CONDITIONS

Promotions — Description

How handled

Disciplinary action

How handled

Lay Offs

How handled

PREVIOUS UNION ACTIVITY

Any unions in the place? Yes_____ No_____

What union? _____

Which departments? _____

Any previous organizing attempts? Yes ____ No_____

When ? _____

By what union ? _____

Company union in place? Yes_____ No _____

Employees' attitude? _____

Benefits? _____

_____

F

SURVEY FACTS TO DETERMINE ORGANIZING POTENTIAL

COMMENTS BY EMPLOYEES

POTENTIAL INSIDE LEADERSHIP

Employees mentioned frequently by others

Name	Address	Department

CWA

SCHOOLS

D R A F T

TO: CWA Staff Members in the South

FROM: Director of Education (or SRC Labor Program)

For the past year you have been receiving the publications of the Southern Regional Council dealing with a broad range of issues relating to poverty and racial relations. We recognize that it is most unlikely that you would have read all of the publications or all of the material in many of them. However, we would like to know whether you felt that these publications were helpful and whether you have been interested to know that such material is available even if all of it was not useful. Would you take time to answer the following questions:

____YES____NO The SRC materials in general were interesting.

____YES____NO They gave me useful material to assist my understanding of the changing South.

?

____YES____NO The materials sometimes proved helpful in my job

Do you recall that you especially liked certain publications. For example pamphlets such as John Willie Reed or The Tax Structure of the Southern States or the quarterly publication, New South, or the monthly paper (tabloid size) South Today. Would you list any others?_____ (more space)

Do you recall any special articles that you thought were helpful in some way?_____

_____

_____

(?) next page

NEWS from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

Week of August 9, 1965

ARTHUR A. CHAPIN TO COORDINATE
LABOR DEPARTMENT CIVIL RIGHTS

Washington, D.C.--Arthur A. Chapin, Special Assistant to the Secretary of Labor in manpower matters, has been given additional responsibilities and designated Special Assistant for Equal Opportunity in Manpower Programs in the Office of the Manpower Administrator.

Secretary of Labor W. Willard Wirtz announced that Mr. Chapin in his new role would be responsible for coordinating Manpower Administration responsibilities implementing Title VI of the Civil Rights Act of 1964 and the Department's Nondiscrimination in Federally Assisted Programs Regulations. Mr. Chapin is authorized by Administrative Order to review actions taken by operating agencies of the Manpower Administration--Bureau of Employment Security, Bureau of Apprenticeship and Training, Office of Manpower, Automation and Training; and Neighborhood Youth Corps. He is empowered to achieve compliance through review, processing complaints, investigations and other necessary actions.

He is also charged with the responsibility of assisting the operating agencies in obtaining qualified personnel and in providing leadership in development and operation of training programs and research programs designed to improve the utilization of minority group workers in the nation's labor force.

Complaints may be filed by individuals or any specific class of individuals within 90 days of the alleged discrimination, with any office of the operating agency or with the Special Assistant.

Mr. Arthur Chapin was appointed Minority Groups Consultant to the Department of Labor and the Bureau of Employment Security by the Secretary of Labor, February 20, 1961, and later appointed as a Special Assistant to the Secretary of Labor as manpower specialist.

Mr. Chapin attended the public schools in Philadelphia, Pennsylvania where he was born. He served from 1947 to 1958 as Assistant to the President of the New Jersey State CIO Council, specializing in drafting of state legislation dealing with Civil Rights, housing, minimum wage, and unemployment compensation.

During his years with the New Jersey CIO, he served as trustee for the New Jersey Hospital Service Plan. He was appointed by former Governor Robert B. Meyner to the Governor's Committee on Housing, and by the late Commissioner of Labor Carl Holderman as a member of the State Wage Panel for Restaurant Employees.

Prior to his appointment by the former Secretary of Labor, Justice Arthur J. Goldberg, he served as the Assistant to the Chairman of the Democratic National Committee, the late Paul M. Butler.

As Special Assistant he advised the Secretary on matters affecting the Department of Labor and the Department's efforts to promote equal job opportunities and is responsible for the Department's attention being directed to specific problems as they relate to employment and other manpower problems. Mr. Chapin has received meritorious awards for leadership and service from the former Secretary of Labor, Arthur Goldberg, and from the present Secretary of Labor, W. Willard Wirtz.

# # # #

9-14-65

NATIONAL UNION REPRESENTATIVES ATTENDING THE

1964 ADVANCED SOUTHERN LABOR SCHOOL

NOVEMBER 8-13, MIAMI BEACH, FLORIDA

JOHN BARNETTE, U.A.W., Birmingham, Alabama

ALLEN PLATT, O.C.A.W., Whistler, Alabama

ROBERT GLADNICK, I.L.G.W.U., Miami, Florida

PHILIP DOOLEY, Postal Clerks, Miami, Florida

CLARK GOODRICH, I.A.M., Clearwater, Florida

TONY HUERTA, Letter Carriers, Tampa, Florida

PAUL MC CASTLAND, Hotel & Restaurant, Fort Lauderdale, Florida

LEE TAFEL, State-County, Miami, Florida

A. D. TAYLOR, Chemical Workers, Mulberry, Florida

GEORGE GILL, C.W.A., Atlanta, Georgia

E. G. HARVEY, Tobacco Workers, Louisville, Kentucky

DUNCAN HOLLAND, I.B.E.W., Columbia, South Carolina

C. A. SMITH, A.C.W.A., Nashville, Tennessee

P. A. ALEXANDER, I.B.E.W., Houston, Texas

JACK SMITH, Plasterers, White Marsh, Virginia

MARTIN VEST, I.L.G.W.U., Roanoke, Virginia

GG:cme
oeiu #2
afl-cio
9/14/65

NEWS DIGEST from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

Week of October 11, 1965

EDWARD SYLVESTER NAMED TO DIRECT LABOR DEPARTMENT'S
OFFICE OF FEDERAL CONTRACT COMPLIANCE

Washington, D. C. -- Edward C. Sylvester, Jr., Deputy Administrator of the Bureau of International Affairs in the U.S. Department of Labor, has been appointed Director of the Department's newly established Office of Federal Contract Compliance.

Secretary of Labor W. Willard Wirtz, in announcing the appointment today, said that Mr. Sylvester would be responsible for carrying out a program to assure nondiscrimination in employment practices by Government contractors, and subcontractors, including contractors engaged on Federally assisted construction work.

These responsibilities were assigned to the Secretary of Labor by Executive Order 11246 of September 24,1965, which abolished the President's Committee on Equal Employment Opportunity.

Mr. Sylvester, born, raised and trained as a civil engineer in Detroit, Michigan, was appointed by Secretary of Labor Arthur J. Goldberg as Assistant to Assistant Secretary of Labor for International Labor Affairs George L-P Weaver in August 1961. In March 1963, Secretary Wirtz appointed him as Deputy Administrator of the Bureau of International Affairs. He was awarded the Labor Department's Meritorious Service Awards by former Secretary Goldberg in 1962 and by Secretary Wirtz in 1963.

(MORE)

In his new capacity as Director, Office of Contract Compliance, Mr. Sylvester will be responsible for:

- Carrying out all responsibilities assigned the Secretary of Labor by Executive Order 11246;

- Developing and recommending to the Secretary rules and regulations necessary and appropriate to achieve the pruposes of the Executive Order;

- Coordinating with the Equal Employment Opportunity Commission and the Department of Justice on matters relating to Title VII of the Civil Richts Act of 1964, and maintaining liaison with other agencies having civil rights and equal employment opportunity activities;

- Providing regular reports to the Secretary of Labor concerning the activities of the Office and problems requiring the Secretary's attention.

Prior to his appointment to the Department of Labor staff, Mr. Sylvester, a graduate of Wayne State University, was for seven years a civil and structural engineer for the City of Detroit where he supervised a staff of engineers and draftsmen working on Detroit's expressway system and water treatment facilities. Early in 1958, he was instrumental in forming the Liberian-American Enterprises, Inc., was the president and manager of this company which was the first commercial lumber company in the interior of Liberia.

During 1960 - 1961 he served on the national staff of Senator Stuart Symington and of the Democratic National Committee.

He has been the Labor Department's representative on the Board of Examiners, Department of State. He was Chairman of the U.S. Delegation to

(MORE)

the Seventh Session of the Building, Civil Engineering and Public Works Committee of the International Labor Organization at Geneva, Switzerland, in May 1964. In October 1964, he was Chairman of the U.S. Delegation of the Second Meeting of the Inter-American Economic and Social Council's Special Committee VII of Labor Matters, which convened in Buenos Aires, Argentina. He has traveled in Africa and Asia.

Mr. Sylvester, a Registered Professional Engineer in the State of Michigan, was elected a Member of the American Society of Civil Engineers in 1954, belongs to the National Society of Professional Engineers, et al. He is a member of and has served as president of many civic and similar organizations in Detroit and Washington, D.C., including the Wayne State University Civil Engineers Alumni Association.

During World War II, Mr. Sylvester entered the U.S. Army as a private and was separated as a first lieutenant. He served in the European and Pacific Theatres, received three Battle Stars and was Executive Officer when his company received the Meritorious Service Award.

He is married, has three children and resides in Washington, D.C.

# # # # #

NEWS DIGEST from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

Week of October 18, 1965

SECRETARY WIRTZ LAUDS SYLVESTER AS DIRECTOR
AND DELINEATES FUNCTIONS OF COMPLIANCE OFFICE

Washington, D. C. -- Secretary of Labor W. Willard Writz in a press conference called to announce establishment of the new Office of Federal Contract Compliance within the Department of Labor, praised Edward C. Sylvester as he announced his appointment as Office Director. In answer to questions asked by newsmen he outlined the duties and authority of the Office.

The Secretary stated:

"About 10 days ago, President Johnson issued Executive Order 11246, which transferred to the Department of Labor the Contract Compliance responsibilities as far as Federal contracts are concerned. This is the function which has been previously in the President's Committee on Equal Employment Opportunity. It involves the enforcement of the non-discriminatory program with respect to Government contractors.

"It is my very real pleasure to announce this afternoon the appointment as head of a new office which has been established, in the Department of Labor, to carry out these functions Mr. Edward C. Sylvester, Jr., who is here. What some of you know and what I am delighted to have this opportunity to confirm is that he has been one of the real initiators and administrators in the Department of Labor. It is a matter of very real personal as well as official pleasure to announce his appointment as Director of the Office of Federal Contract Compliance, within the Department of Labor.

(MORE)

"I repeat that this involves the administration of those responsibilities which have previously been in the hands of the President's committee. I say that particularly because there has been some exaggeration of this matter in one or two places. These responsibilities are solely and entirely those which have previously been exercised by the President's committee, and there has been no expansion of those funcitons.

"I would like to make only this one other comment about it. We have been talking so such about civil rights that we have, I think, sometimes forgotten that the real pay-off proposition is not civil rights at all; it is civil results. I think of the program in which Mr. Sylvester will now be engaged as a civil results program. It is all well enough to pass a fair employment practices act and to give people a broad right. You don't live by rights alone and the result is to see to it that there is equal employment opportunity and equal employment without regard to race. That is part of what we are doing as far as this program is concerned."

In answers to questions put by newsmen, Secretary Wirtz indicated that:

- The staff of the new Office under Mr. Sylvester's direction would number 20 to 25 persons with assistance from the regular Labor Department staff. Separate from this staff is the Plans for Progress staff of about 10 persons mostly from private industry.

- The new Office will of course have power to bar contractors from contracts or bidding where there is discrimination. Although the sanction has never been used to the point of actually cancelling a contract, it has

(MORE)

been used to the point of taking up very seriously with contractors questions which were presented. "It has been used in the sense of its being there as something which would be done if something else weren't done."

- There would be and there is, under the Executive Order, a particular kind of situation in which proceedings could be instituted through the Department of Justice against either a contractor or a union to cease and desist from the actions which are involved. But I make it quite clear that we would expect to exhaust every possible alternative remedy before we resorted to that one, or to the cancellation of a contract.

- The President's Committee handled during the four to four and a-half years of its existence about 3,000 cases involving government contractors and then under a different branch of its responsibility, three to four thousand cases involving government employees. The non-discrimination provisions with respect to government employment under the most recent Executive Order go to the Civil Service Commission. Under the part of the program which we are talking about here, there have been in about four years about 3,000 complaints handled. In about two-thirds of those, there has been affirmative action taken which has resulted in the removal of the basis of the complaint. The other third are cases in which it was found that the complaint was not supportable.

- There will be steps taken to be sure that there are not two investigations of the same situation in cases which may involve a violation of both the Executive Order and Title VI of the Civil Rights Act. Conferences of the various government agencies and commissions concerned with civil rights are being held to insure that there be no conflicting regulations or actions.

# # # # #

ANNOUNCEMENT

We are happy to announce that Mr. Frank Fletcher has been appointed director of SCEF's Southern Mountain Project (SMP). Mr. Fletcher, who has had wide experience in the labor movement and in community organization, is also acquainted with the folk traditions and music of the mountain area. He will fill the post left vacant by the tragic death in July of Mr. Bruce Moore, who was fatally injured in an automobile accident.

The Rev. Fred L. Shuttlesworth, SCEF president, said the next great problem confronting the civil rights movement is how to organize poor Negroes and poor whites to fight together for a better world. The struggle is not black against white, but people against injustice.

The SMP is one modest step in that direction. Staff members work on a subsistence basis. The entire project costs less than $1,000 a month. This pioneer project in Appalachia is one activity your contribution to SCEF makes possible.

In recent weeks, the SMP staff has been harassed by police and the Klan, hence your financial and moral support would be especially meaningful at this time.

Am. Conf. Ed. Fund. Inc.
822 Perdido St., New Orleans, La. 70112

11-65

SOUTHEAST REGION ORGANIZERS CONFERENCE

AMERICANA MOTEL

JANUARY 3-7, 1966

MONDAY, January 3

2:00 - 3:00 P.M.	Orientation - Martin Morand, Dir. SE Region
3:00 - 4:15	The Survey Information Necessary for Campaign and How to Get It! 1. The Firm 2. The Plant 3. Community Information 4. Getting Names of Workers Saul Nesselroth - Educ. Dept., ILGWU Benny Dansavage - Org. Dir., SE Region
4:15 - 4:30	Coffee Break
4:30 - 5:30	The Survey (continued)

TUESDAY, January 4

9:00 - 10:30 A.M.	What the Organizer Should Know About ILGWU Contracts Martin Morand
10:30 - 10:45	Coffee Break
10:45 - 12:15	Protecting Yourself from Intrusion Devices Saul Nesselroth
12:30 - 2:00 P.M.	Lunch
2:00 - 4:00	The Face of the South - Community Audit Emory Via, Labor Dir., Southern Region Conference
4:00 - 4:15	Coffee Break
4:15 - 5:15	Using the Law to Organize Julius Topol, ILGWU Assoc. General Counsel Jack Handler, Southeast Region Counsel
6:00 - 7:30	Dinner Conference
Evening	How to Use a Projector Films: WHY WOMEN MUST WEEP ANATOMY OF A LIE

WEDNESDAY, January 5

9:00 - 10:30 A.M.	Using the Law to Organize J. Topol, J. Handler
10:30 - 10:45	Coffee Break
10:45 - 12:15	Taking Statements and Keeping Organizing Records Jack Handler, Benny Dansavage
12:30 - 2:00 P.M.	Lunch and Luncheon Conference Organizing Techniques

WEDNESDAY, January 5

4:00 - 4:15	Coffee Break
4:15 - 5:15	Organizing Techniques - Summary and Comment Edward Blair, A. C. W. A.

THURSDAY, January 6

9:00 - 10:30 A. M.	Using the Law to Organize J. Topol, J. Handler
10:30 - 10:45	Coffee Break
10:45 - 12:15	Leaflet Production and Using Leaflets, Letters Nick Bonnano, Asst. Regional Director Benny Dansavage Saul Nesselroth
12:30 - 2:00 P. M.	Lunch
2:00 - 4:00	Using the Law to Organize J. Topol, J. Handler
4:00 - 4:15	Coffee Break
4:15 - 5:15	Using the Law to Organize J. Topol, J. Handler

FRIDAY, January 7

9:00 - 10:30 A. M.	Using the Law to Organize Class and Consumer Campaigns J. Topol, J. Handler
10:30 - 10:45	Coffee Break
10:45 - 12:15	Summary Session

Emory F. Via

STUDENTS ATTENDING URW DISTRICT 8 SUMMER SCHOOL
BLUE RIDGE ASSEMBLY, BLACK MOUNTAIN, NORTH CAROLINA
JUNE 26 - JULY 1, 1966

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~~Bruce Hol~~der	Route #2 Clyde, North Carolina	277
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Jack Keener	529 Edwards Street Waynesville, North Carolina	277
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Ottis G. Havard	30 Dogwood Drive Natchez, Mississippi	303
Flavius H. Smith	900 Washington Street Natchez, Mississippi	303
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Thurston Smith	Dover, Tennessee	330
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Isidro H. Cobos	115 N. Wall Street Pyote, Texas	683
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John D. House, URW Assistant Education Director
Keith Prouty, URW Research Director
Muriel Prouty, Coordinator, Office of Economic Opportunity, Akron Program
Emory Via, Southern Regional Council

For Ala

Black board
Cloth
eraser
notebooks

Pencils

Film
Inheritance

Materials
~~Poverty~~ —
Labor & Politics

~~(?) Reapportionment~~
Ala — Maps ?
Court case extracts —

Local - Union Administration
Duties of offices
Planning
The Local Meeting
Committees

Song books —

New "organization" — South
Migrant Labor
Fla — Processing
RWDSU
J. P. Stevens —

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9-8/9-66

Address envelopes for the current New South to be sent to the names on this list marked N.S.
Attach EFV card to each copy.

Thanks.

Return list to me for separate letters

CONFERENCE ON RESEARCH IN APPRENTICESHIP TRAINING

September 8-9, 1966

Madison, Wisconsin

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Hugh Murphy, Director, Bureau of Appr. & Trng., U.S. Dept. of Labor, Washington

Frank G. Musala, Director of Appr., State of Minnesota, Industrial Commission of Minnesota, Saint Paul, Minn.

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✓ Prof. Jack Barbash
Dept. of Econ.
Univ. of Wis.
Madison, Wis.

✓ Prof George Haggard
School for Workers
Univ of Wis
Madison, Wis

MR. Owen Tapper
School for Workers
Univ of Wis.
Madison, Wis.

2-67

EMPLOYMENT QUALIFICATION WORKSHOP

General

JAMES A. HAMMOND
ADMINISTRATOR

CITIZENS BUILDING ROOM 806
TAMPA, FLORIDA 33602

TELEPHONE:
228-7388

City of Tampa

COMMISSIONERS:
A. S. MOFFETT
A. LEON LOWRY, CHAIRMAN
C. BLYTHE ANDREWS
PERRY C. HARVEY, SR.
LEONARD N. HUTCHINSON
LOPER LOWRY
ROBERT THOMAS
CODY FOWLER, CONSULTANT

COMMISSION OF COMMUNITY RELATIONS

Student Handbook
And
Workshop Guide

EMPLOYMENT QUALIFICATION WORKSHOP

Sponsored by
General Telephone Company of Florida
In Cooperation With
City of Tampa
Commission of Community Relations

January 10 - February 2, 1967

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EMPLOYMENT QUALIFICATION WORKSHOP

MOTTO: Nothing Succeeds Like Success

Introduction:

There is a job with a future in your future. General Telephone Company of Florida is financing this first-class workshop as a corporate venture between private industry and local government. The company, with the assistance of the Tampa Commission of Community Relations, is taking steps to help you obtain gainful and rewarding employment. In the event you become an employee of the company, you will learn about the company and the contributions you can make. You should also know about the functions of the Commission of Community Relations so that you can appreciate the role it plays in the community progress.

THE CITY OF TAMPA COMMISSION OF COMMUNITY RELATIONS

Its Background

Upon recommendation of the Mayor's Bi-Racial Committee, in 1964, Mayor Nick Nuccio appointed the Commission of Community Relations as a full-time agency of city government. The appointment was confirmed by the City Council. It is supported by both the City Council and the County Commission through appropriation of funds and endorsement of its goals and programs.

Its Role in Brief

1. Keeps the lines of communication open between the Negro and White community.

2. Recognizes and assesses discontent in the Negro community and recommends corrective steps.

3. Mediates and promotes smooth transition of positive social, economical, and educational changes within the community.

4. Relates to governmental and private agencies problems that cause racial tension and suggests ways of alleviating these situations.

5. Works with educational agencies in assisting Negroes to better qualify for the world of work.

6. Works toward assuring equal opportunities in employment, education, and other areas of past injustices.

Commissioners

A. Leon Lowry, Chairman
Robert Thomas
Perry C. Harvey, Sr.
Loper Lowry
C. Blythe Andrews
Colby Armstrong
Earl Hartman
Clarence Wilson
Cody Fowler, Consultant
James A. Hammond, Administrator

INFORMATION ABOUT THE WORKSHOP

Why it is Necessary

Disappointment and frustration often mark the efforts of many people in securing gainful employment. This is especially true in relation to Negroes and other minority groups. It is observed and pointed out all too frequently by employers in private industries and public agencies that these groups do not pass qualifying tests as readily as do other potential employees.

It is further noted that often the inability of these groups to pass various employment tests is the only barrier to their selection to available jobs. In many other instances, however, there are personal qualities lacking in varying degrees which prevent these groups from obtaining jobs they desire and need.

It is ironic, at a time when so many new jobs are available to persons of all races, that such barriers to employment still exist. It is against this background that this unique workshop has been established. It is designed to assist employable persons, mainly Negroes, in meeting special employment qualification standards, such as passing tests and interviews, which they experience difficulty in meeting.

Cultural backgrounds and educational experience of these groups are frequently attributed to being unrelated to the exacting demands of their present world of work. Whatever the cause, earnest efforts are being made to solve the problems.

How the Workshop Became a Reality

This workshop--from its initial planning stages through its projected successful conclusion--represents affirmative cooperative action by many persons to which references are made in other sections of this brochure. Through a series of conferences and planning sessions which began about one and one-half years ago, the following accomplishments have been realized:

1. General Telephone Company is taking positive and novel steps to employ more Negroes in all of its departments.

2. The Company has requested and received full cooperation from the Tampa Commission of Community Relations in establishing all necessary machinery to assist Negroes in meeting the Company's job qualification standards.

3. The Company has made a commitment to hire, as soon as possible, those participants who successfully complete the workshop and meet employment qualifications.

4. A staff of qualified persons has been chosen to conduct the workshop. Each member of the staff is intimately acquainted with the special problems confronting Negroes in their efforts to obtain employment. They have also toured the various departments within the Company and are familiar with job demands.

5. Workshop participants, all of whom are high-school graduates, have been selected.

YOU WERE CHOSEN BECAUSE YOU HAVE THE
POTENTIAL TO SUCCEED. NOTHING SUCCEEDS LIKE SUCCESS.

****

What the Workshop Proposes to Accomplish

General objectives for the program as a whole:

1. To help you, the applicants, qualify for employment by the Telephone Company or by any other company that has similar jobs to fill and similar qualification requirements.

2. To help each of you develop basic understandings and attitudes so you can: (a) continue to improve yourselves after this short training period is over, and (b) succeed on the job, both in terms of satisfactory work, and cordial relations with fellow employees and supervisors.

3. To help the Company develop better tools and procedures for selection of applicants likely to succeed on the job.

How the Workshop is Organized

The workshop for female participants is divided into three major areas of concentration:

Quantitative Skills Area
Verbal Skills Area
Job Success Area

For male participants there will be generally two areas, Quantitative and Job Success, with limited instruction in the Verbal Skills Area. These areas will be fully defined during the orientation session.

One hundred women trainees will be divided into three groups. Three teams each composed of one instructor from each of the major areas will work with the three separate groups during the eight class nights of 2½ hours each. Within each group the teachers will work with smaller groups of 10 each with individuals on a rotational basis.

The twenty men trainees will receive instruction from a team of two instructors each night.

This type of organization has several unique advantages. One major advantage is that it will allow each teacher to provide small-group instruction while limiting the total number of students each teacher will work with. The men students will receive separate instruction mainly because test requirements for men are different. More quantitative skills and less verbal skills are required.

The teachers and planning staff recognize there is no short cut to education. Your instruction has been designed to give you basic skills and techniques needed to meet job entry requirements.

Schedule of Dates

Workshop sessions will be held from 7:00 P. M. to 9:30 P. M. on Tuesday and Thursday nights.

January 10, 12, 17, 19, 24, 26, 31; February 2, 1967.

Class Schedule - Female Students

The following time schedule of classes will be observed unless otherwise noted:

Period 1	7:00 - 7:45	45 minutes
Period 2	7:45 - 8:30	45 minutes
BREAK	8:30 - 8:45	15 minutes
Period 3	8:45 - 9:30	45 minutes

Class Schedule - Male Students

Period 1	7:00 - 8:10	1 hour, 10 minutes
BREAK	8:10 - 8:25	15 minutes
Period 3	8:25 - 9:30	1 hour, 5 minutes

TEACHING TEAMS

Team I

Miss Evelyn Price, Leader
Mrs. Lillian Williams
Mrs. Doretha Edgecomb

Team II

Mr. Calvin Bexley, Leader
Mrs. Evie Pride
Mrs. Eloise Cabrera

Team III

Mrs. Judith Thornton, Leader
Mrs. Mary Satchell
Mrs. Margaret Sutton

Team IV

Mr. Rudolph Harris, Leader
Mrs. Rose Duhart

THE WORKSHOP - AN OPPORTUNITY AND A RESPONSIBILITY

This Employment Qualification Workshop is not an automatic venture. As has been pointed out, it is an opportunity awarded you because you are deserving. In a sense it is experimental. It represents a new approach. It is designed to be highly successful, but a major portion of the success of this project depends on you.

In accepting this opportunity, you are also committing yourself to accept responsibility. The following guidelines are suggestive of what will be expected of you as a participant:

1. Show enthusiasm for your work. Know everything that is expected of you and be willing to go "beyond the call of duty".

2. Know the value of time. Be prompt at all times. This will be an important part of your evaluation.

3. Attend ALL sessions faithfully. A good attendance record indicates that you are reliable and devoted to duty.

4. ELIMINATE CARELESS HABITS IN ALL DETAILS OF YOUR WORKSHOP TRAINING. There is no place in the workshop or on the job for carelessness, which can be justifiably called laziness.

5. Use your personal qualities to help you advance. You are judged first by your appearance. You are also judged by your social and business manners as well as by your ability and performance. Outstanding performance assures you of success.

LOOKING FORWARD TO THE JOB AHEAD

Craft Starting Positions in Which Most Vacancies Occur with General Telephone Company

OPERATOR: Toll - Place long distance calls for customers by using a number of devices she has before her--cords, keys, a key pulsing set, a calculagraph clock, billing tickets, and a bulletin showing the rates and routes to about 95 per cent of all frequently called places. Must be able to work split shifts, some night and Sunday work.

Information - Answers inquiries from local customers for telephone numbers from a specially prepared directory which is corrected daily. Must be able to work split shifts, some night and Sunday work.

SERVICE REPRESENTATIVE: Maintains records for a number of customer accounts. Also, handles billing inquiries, orders for new service, changes in services, complaints and adjustments, and customer telephone requests.

PLANT CLERKS: Perform various clerical functions in the plant service center which is responsible for coordinating all the work in the local Plant Department required to give telephone service. Repair service work requires working split shifts, some night and Sunday work.

CLERK (General): Various clerical duties may consist of filing, typing, tabulating data, computational and compilation of data for reports, light bookkeeping, receiving and giving information over the telephone, etc.

TYPIST: Uses manual or electric typewriter to address envelopes, type orders, letters, reports, and statistical tables. Must be able to type at least 45 WPM. Also, a spelling accuracy of 85 per cent on 100 words is required.

STENOGRAPHER: Takes dictation in shorthand and transcribes notes on a typewriter. In addition to a typing speed of 45 WPM as well as a shorthand speed of 80-100 WPM, a spelling accuracy of 85 per cent on a 100 word test is required.

DRAFTSMAN: Prepares working plans and detail drawings for engineering purposes; consisting primarily of electrical, mechanical and map drafting work.

MACHINE OPERATOR: Basically knows how to run the following machines: a key punch, for punching cards; a sorter, for grouping and counting cards; a collator, for selecting cards; a reproducer, for copying a punched card; an interpreter, for printing on a card the meaning of the punched holes; and an accounting machine, which makes the printed table showing the results of the various counts.

Positions - Cont'd.

LINEMAN: Installs and maintains aerial, underground, and buried cable systems. Job consists of placing and climbing poles, stringing wires and cables, as well as providing maintenance for these facilities.

CABLEMAN: Joins together insulated copper wires in telephone cables. Work involves pole climbing, splicing and sealing techniques of aerial, underground, and buried cables, and detection together with location of cable faults.

INSTALLER-REPAIRMAN: Places telephone equipment for customers in homes and some businesses. Job requires ability to communicate with the public. This man is responsible for the installation of telephone service from the cable to the phone.

EQUIPMENT TECHNICIAN: Works in central offices repairing and maintaining the various switches and associated equipment needed for telephone communications. Previous electrical knowledge is desired.

EQUIPMENT INSTALLER: In central offices, installs steel frames, the switching bays and their associated equipment, as well as the miles of intricate wiring needed to tie the maze of equipment together.

Positive Steps to Employment Within Workshop Framework

In brief, the following is an outline of your steps to employment with General Telephone Company.

1. Pass initial screening.
2. Participate successfully in Qualifications Workshop.
3. Pass final interview.
4. Pass final examination.
5. Pass physical examination and background investigation.

These are all steps within your reach. A number of Negroes are already employed by General Telephone Company. Some were employed after passing the initial screening, interview, and battery of tests which eliminated the necessity of this workshop training. You, too, can look forward to employment.

WORKSHOP PLANNING - PERSONNEL AND STAFF

Initial Screening Committee from Telephone Company

Mr. Robert Bennett
Mrs. Gladys Fowler
Mrs. Therese Davis
Mrs. Pauline Foulks
Mrs. Marjorie Lightsey

General Workshop Planning Committee

Mr. James A. Hammond
Dr. Jack H. Robinson
Mrs. Rose Duhart
Mrs. Betty P. Brown
Mrs. Gladys Fowler
Mrs. Judith Thornton

Curriculum Planning Committee

Dr. Jack H. Robinson
Mrs. Mary Satchell
Mr. Rudolph Harris
Mr. James A. Hammond

STAFF:

REPRESENTATIVE, CITY COMMISSION OF COMMUNITY RELATIONS
GENERAL WORKSHOP ADMINISTRATOR AND COORDINATOR

Mr. James A. Hammond, Citizens Building, Room 806

REPRESENTATIVES OF GENERAL TELEPHONE COMPANY

Mr. Robert Bennett, Personnel Supervisor responsible for Equal Employment Opportunity; Workshop Coordinator for General Telephone

CONSULTANT AND LEADER OF CURRICULUM DEVELOPMENT

Dr. Jack Robinson, Professor of Physical Sciences, University of South Florida

COORDINATOR OF PROGRAM ACTIVITIES

Mrs. Betty P. Brown, Reading Resource Teacher, Middleton High School

GENERAL AREAS

Quantitative Skills

Mr. Calvin Bexley - Leader and Consultant
Director of Elementary and Secondary Education Act
Hillsborough County Board of Public Instruction

GENERAL AREAS - Cont'd.

Miss Evelyn Price - Instructor, Mathematics
Middleton High School

Mrs. Margaret Sutton - Instructor, Mathematics
Blake High School

Mr. Rudolph Harris - Instructor, Potter Elementary School

Verbal Skills

Mrs. Evie Pride - Leader
Interim Clinician, Assistant Professor
Developmental Center, University of South Florida

Mrs. Mary Satchell - English Instructor
Blake High School

Mrs. Doretha Edgecomb - Reading Resource Teacher
Just Junior High School

Job Success

Mrs. Judith Thornton - Leader
Counselor, Just Junior High School

Mrs. Lillian Williams - Business Education Instructor and
Vocational Counselor, Middleton High School

Mrs. Eloise Cabrera - Counselor, West Tampa Neighborhood Service Center

Mrs. Rose Duhart - Dean of Girls
Booker T. Washington Jr. High School

ACKNOWLEDGEMENTS

In addition to persons already mentioned, special acknowledgements are extended to the following persons for their invaluable assistance in this worthwhile endeavor:

Mr. Fred D. Learey, President
General Telephone Company of Florida

Attorney Cody Fowler
Commission Consultant and Special Workshop Advisor

Mr. Robert L. Jones, Director of Personnel
General Telephone Company of Florida

Mr. David C. Vance, Personnel Manager - Employment & Development
General Telephone Company of Florida

LOCATION OF WORKSHOP SESSIONS

The Qualification Workship sessions will be conducted in various offices and conference rooms throughout the General Telephone Company building.

Team and Section Sessions will be located as follows:

Team I	Section A - 2nd Floor Conference Room
	Section B - 3rd Floor Assembly Conference Room
	Section C - 4th Floor General Commercial Department
Team II	Section A - 6th Floor Room 605
	Section B - 8th Floor Conference Room 807
	Section C - 11th Floor Conference Room 1105
Team III	Section A - 4th Floor Room 428
	Section B - 4th Floor Main Office, General Commercial Department
	Section C - 1st Floor Commercial Office
Team IV	Section A - 1st Floor Commercial Office
	Section B - 1st Floor Marketing Office

NOTES

Labor Partners
(Rubber Workers)

STUDENTS ATTENDING URW DISTRICT 8 SUMMER SCHOOL
BLUE RIDGE ASSEMBLY, BLACK MOUNTAIN, NORTH CAROLINA
JUNE 25-30, 1967

Name	Address	Local
Dennis Johnson	909 Stephens Street Boaz, Alabama	12
J. Ross Smith	407 7th Street North East Gadsden, Alabama	12
P. E. Wood	2906 Taylor Street South Gadsden, Alabama	12
Paul M. Smith	Route #2 Clarksville, Tennessee	194
J. D. Schmittou	Route #1 Clarksville, Tennessee	194
Alice Radford	Box 359 Waynesville, Tennessee	277
Jack Keener	Box 359 Waynesville, Tennessee	277
Gene McClure	Box 359 Waynesville, Tennessee	277
Bob Burress	Box 359 Waynesville, Tennessee	277
Pernell Flowers	Route 5, Box 589 Natchez, Mississippi	303
Charles A. Cox	1303 Eastwood Drive Natchez, Mississippi	303
D. J. Craft	32 South Circle Drive Natchez, Mississippi	303
Charles R. Brewer	319 Spruce Street Clarksdale, Mississippi	556
Bailey Robinson	423 Quincy Avenue Clarksdale, Mississippi	556
H. T. Johnson	Box 13 Griffithville, Arkansas	558
Doyle Posley	Route 5 Searcy, Arkansas	558

Name	Address	Local
Hugh M. DeHaven	Burrous Avenue Hendersonville, Tennessee	670
Y. L. Dominguez	825 N. Elm Street, Box 1872 Pecos, Texas	683
A. V. Gamboa	Box 754, 1113 S. Elm Street Pecos, Texas	683
Dennis C. Smith	Route 2 DeKalb, Texas	752
Clarence Cambron	P. O. Box 112 Nash, Texas	752
Robert Adcock, Jr.	115 Burrum Drive Shelbyville, Tennessee	779
Henry S. Daniel	Route #1 Murfreesboro, Tennessee	779
William W. Roberson	Route #6 Pulaski, Tennessee	641
Silas Houstan	226 Speer Street Pulaski, Tennessee	641

STAFF

John D. House, URW Temporary Education Director
James E. Turner, URW Fair Practices Director
Kenneth F. Thornbury, URW Research Director
Emory Via, Southern Regional Council
Ralph C. Smith, AFL-CIO Community Services Activities
Walter Holmes, AFL-CIO Red Cross Liaison Staff

Pol. Sci for South Review

14th Amend

Type of govt —
Federalism — Civil War Settlement
Necessity & danger of "big govt"
Misleading myth of State Rts & local Govt
Importance of groups, watchful participation
Role of Court

Role of Law & Institutions — difference between wrong decisions or disagreeing decisions and "dictatorship" see Daly for Mills case comment

Bill of Rights — esp. 1st Amend — Speech, Assn
Who threatens Individual Rts —
Supt, Fed Govt, State, Union, Corp, Protest movements
Advocacy

Labor's Role in Politics

Democratic Pluralism

Populist Experience
Ending of Jim Crow

Changing ~~Pol~~ Politics in South (3 "R's")
Reapportionment — Republicans — Registration (Negros)
New style candidates

Mixed economy —
Difference between govt. own & regulation
(TVA & FCC re T.V.)

Big govt — welfare state — Socialism

Tri-State — 1967 (May)

C(-)

		MON AM	MON-P.M	TUES AM	TUES PM	WED AM
1-	Charles E. Hobby	✓				
2-	H. L. Murray	✓				
3-	Jessie F. Graham	✓				
4-	H. E. Gardner	✓				
5-	Ryland Hamlett	✓				
6-	Dorothy P. Robinson	✓				
7-	Ray N. Pegram	✓				
8-	Edward J. Williams	✓				
9-	Emmanual Loflin	✓				
10-	Carlton D. Rakes	A				
11-	Jack E. Fryar Sr.	✓				
12-	Joseph Pitts	✓				
13-	W. W. Falson	A				
14-	Billy Henderson	✓				
15-	Lucy Manning	A				
16-	Ernest Blackwelder	A				
17-	E. F. Kirkland	A				
18-	Ralph Golden	✓				
19-	Mary H. Frank	✓				
20-	Oliver J. Shaw	✓				
21	Cecil C. Hall	✓				
22	David L. Porter Jr.	✓				
23-	Norwood H. Pannell	✓				
24-	Ray Chilton	✓				
25-	Vera Epperly	✓				
26.	Jake Williams	✓				
27	Walter Boyce Jr-	✓				

18 - 2
17 - 4
35 - 6C

File - URWA

STUDENTS ATTENDING URW DISTRICT 8 SUMMER SCHOOL
BLUE RIDGE ASSEMBLY, BLACK MOUNTAIN, NORTH CAROLINA
JUNE 25-30, 1967

	Name	Address	Local
2 - 2 N/M	Dennis Johnson 7-3	909 Stephens Street Boaz, Alabama ZIP 35957	12
4 - 1 N/4	J. Ross Smith YES 10-15.17	407 7th Street North East Gadsden, Alabama 35903	12
1 —	P. E. Wood Y	2906 Taylor Street South Gadsden, Alabama	12
1 —	Paul M. Smith Y	~~Route #2~~ ~~434 Kelly Lane~~ Route 2 Clarksville, Tennessee 37040	194
1 —	Chas E. Bagwell Y ~~J. D. Schmittou~~	~~Route #2~~ 434 Kelly Lane Clarksville, Tennessee 37040	194
1 —	Alice Radford Y	~~Box 359~~ R#3 Waynesville, ~~Tennessee~~ N.C. 28786	277
	Jack Keener N	~~Box 359~~ 529 EdWArds ST Waynesville, ~~Tennessee~~ N.C. 28786	277
	Gene McClure N	~~Box 359~~ R#1 Box 40 Waynesville, ~~Tennessee~~ N.C. 28786	277
	Bob Burress N	~~Box 359~~ Box 166 ~~Waynesville, Tennessee~~ CANTON N.C. 28716	277
2 - N/M	Pernell Flowers Y	Route 5, Box 589 Natchez, Mississippi 39120	303
3 N/M	Charles A. Cox Y 16	1303 Eastwood Drive Natchez, Mississippi 39120	303
2 - 1 N/M	D. J. Craft Y -7	32 South Circle Drive Natchez, Mississippi 39120	303
	Charles R. Brewer N	319 Spruce Street - 38614 Clarksdale, Mississippi	556
	E. O. RAINEY N ~~Bailey Robinson~~	818 SPRUCE ST - 38614 ~~422 Quincy Avenue~~ Clarksdale, Mississippi	556
	H. T. Johnson N	Box 13 Griffithville, Arkansas	558
	~~Boyle Posley~~	Route 5 Searcy, Arkansas	558

	Name	Address	Local
	Hugh M. DeHaven N	Burrous Avenue Hendersonville, Tennessee	670
1	~~Y. L. Dominguez~~ Y ?	~~825 N. Elm Street~~, Box 1872 Pecos, Texas 79772	683
1	A. V. Gamboa Y	Box 754, 1113 S. Elm Street Pecos, Texas 79772	683
1	Dennis C. Smith Y	Route 2 75559 DeKalb, Texas	752
	~~Clarence Cambron~~	P. O. Box 112 Nash, Texas	752
2	M/ Robert Adcock, Jr. Y	115 Burrum Drive Shelbyville, Tennessee	779
1	Henry S. Daniel Y	Route #1 Murfreesboro, Tennessee	779
	William W. Roberson N	Route #6 Pulaski, Tennessee	641
1	Silas Houstan Y	226 Speer Street Pulaski, Tennessee	641

7
11
18-2

STAFF

John D. House, URW Temporary Education Director 6 - 2.
James E. Turner, URW Fair Practices Director 2
Kenneth F. Thornbury, URW Research Director 2
Emory Via, Southern Regional Council 1
Ralph C. Smith, AFL-CIO Community Services Activities
Walter Holmes, AFL-CIO Red Cross Liaison Staff

DANIEL

adcock

Aug 18, 1968

New Staff Man

JIMMY SMITH, a member of Local 441 in Birmingham for 17 years, recently joined the staff of the RWDSU Alabama Council. Until closing of the Ward Baking Co. a year ago, Smith was a route salesman there. Thirty-eight years old, he is married and the father of two.

August 18, 1968

RWDSU Record

The Machinist

Published by International Association of Machinists and Aerospace Workers

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ATLANTA GA 30303

We Resume Publication

This issue of THE MACHINIST is the first since Aug. 22. Last week's issue could not be printed because of a dispute between the printer and the Allied Printing Trades over a job completely unrelated to this publication or this organization. We regret the temporary suspension and trust it will not happen again. The article on the origin of Labor Day, which appears on page 8 of this issue, was originally prepared for the missing issue.

Job Openings

Following jobs are available for qualified IAM members. Please include local union number in your letter.

Philadelphia, Pa.—Openings for engine and turret lathe operators at Philadelphia Gear Corp. Hourly incentive average $3.95. Union conditions. Write: John Ortlieb, recording secretary, IAM Local 864, 4134 M St., Philadelphia, Pa. 19124.

Richland, Wash.—Opening for office machine repairman, preferably with some rotary calculator experience. $163.30 per week. Send resume with inquiry. Write to F. C. Kleyn, recording secretary, IAM Local 1951, 509 Basswood, Richland, Wash. 99352.

San Diego, Calif.—Solar, division of International Harvester Co., has openings for machine operators. Write: N. B. Howarth, IAM District 50, 3911 Pacific Hwy., San Diego, Calif. 92110.

IAM Executive Council

Mike Rygus
General Vice President
Ontario, Canada

Charles F. West
General Vice President
Seattle, Washington

L. Ross Mathews
General Vice President
Washington, D.C.

Eugene D. Glover
General Vice President
Chicago, Illinois

William W. Winpisinger
General Vice President
Washington, D.C.

Gilbert Brunner
General Vice President
Bergenfield, N.J.

Floyd E. Smith
General Vice President
Cleveland, Ohio

George Watkins
General Vice President
Atlanta, Georgia

E. E. White
General Vice President
Long Beach, California

Matthew DeMore
General Secretary-Treasurer
Washington, D.C.

P. L. Siemiller
International President
Washington, D.C.

IAM Convention Delegates Bring Peace to Chicago

A jam-packed 1968 IAM convention was gaveled to order in the famed Conrad Hilton Hotel at Chicago this week. The city was just recovering from the war protesters and an organized hippy-yippy effort to disrupt the Democratic National Convention.

The Conrad Hilton had served as Democratic Party headquarters, winning it the nickname of Fort Hilton because of the number of National Guard troops in evidence during that turbulent week.

This week, IAM delegates registered in what had been the hospitality room for Vice President Hubert Humphrey, the new Democratic Party standard bearer.

Welcome signs

The Humphrey signs were gone. Instead, the IAM delegates were greeted withan 84-foot sign:

"Welcome, IAM Delegates—You Represent the Best Workmen in the World."

More than 2,000 elected delegates came from 49 of the 50 states (all but North Dakota), seven of the 10 provinces (all but Alberta, Prince Edward Island and Saskatchewan), from Puerto Rico and the District of Columbia.

The delegates constitute the supreme governing body of this trade union. Their task is to examine and revise IAM law, to consider and act on IAM policies, and to adopt a program to advance the interests of IAM members over the next four years.

They face two weeks of hard work in daily meetings that begin at 9 a.m. and end at 5 p.m. A Saturday morning session is scheduled. Many delegates will also be asked to serve on one of the convention's 28 committees. In the committees proposals and ideas are given a preliminary sifting and weighing before being brought to the floor for final approval by the delegates.

The Chicago convention climaxes four years of growth under the leadership of IAM President Roy Siemiller, General Secretary-Treasurer Matthew DeMore and the other members of the IAM Executive Council.

Go-go union

The Officers' Report to the convention put it this way:

"In these changing, fast-moving years, the IAM has been a changing, fast-moving trade union. Since our last convention we have made more progress in pursuit of more goals than in any four-year period in our history. In a go-go age, we have become the go-go union."

The officers recounted the problems the union faced four years earlier when expenses exceeded income, when staff had to be cut and services to the membership trimmed.

In 1966, the membership voted to increase the IAM per capita tax, thereby increasing the Grand Lodge income. As a result, the officers reported:

"On-the-spot service to the membership has been strengthened by the net increase of 99 new local and district lodge representatives, 13 airline chairmen, 52 grand lodge representatives, seven special representatives" and 41 local and district organizers.

The establishment of a Government Employees Department in place of the old District 44, and a complete reorganization of the air transport department are cited as contributing to the IAM's new look since the last convention.

Membership climbed over the 1,000,000 mark for the first time this year. The net gain in good standing members since the last convention amounts to 210,000.

Pointing out that changing times and new challenges require a fresh approach, the officers called attention to a number of new bargaining developments benefiting many members:

They cited coordinated bar-

(Continued on Page 5)

"During the past four years we have aimed to build not merely a bigger union but a better one. If we have succeeded, it is because thousands of dedicated, devoted officers, stewards, business representatives and staff serve our union at the grass roots. In almost 2,000 locals and 174 districts these men and women further and fulfill the IAM's day-to-day mission in the work places of the United States and Canada.

They serve without fuss and fanfare and often without thanks. But it is they who write the real record of our union. It is they—in the locals and districts—who organize the unorganized, negotiate contracts, settle grievances and provide such special membership services as medical clinics, eye care centers, apprenticeship programs and job placement centers.

It is they—in the cities, towns and villages of two great nations—who provide the spark for labor's support of community drives, little league baseball teams, retirement clubs, scholarship programs and a multitude of other community activities.

It is they who have made the IAM not merely a bigger union but a better union."

—From the Officers Report to the 1968 IAM Convention

Labor Contrls

Council staff poses for portrait.

State of the Union in Alabama

Margaret Robbins reports on buildings.

Pres. Greenberg congratulates student.

Elizabeth Garner addresses meeting.

J.O. Parker reports on Gadsden changes.

Frank Parker chairs the meeting.

[illegible] takes the floor.

BIRMINGHAM, Ala.

The American labor movement faces governmental attacks on many of its hard-won gains under the incoming Republican administration of President-elect Richard M. Nixon, RWDSU Pres. Max Greenberg warned delegates to the Alabama RWDSU Council meeting here earlier this month.

The Council held its meeting Nov. 10, at the union's headquarters here.

After a special Dairy Workers Conference chaired by C. T. Daniel, Council Pres. Frank Parker opened the regular meeting. Chaplain John Wright read the invocation, followed by Exec. Sec. Gloria Lovoy who read the minutes of the last meeting. Parker then called upon the Council's special guest, Pres. Greenberg.

Pres. Greenberg declared it was inevitable that a new and more conservative Secretary of Labor would be appointed. Other changes would include a new Attorney General, one dedicated to "law and order." As vacancies occur, the composition of the Supreme Court would probably take on a more conservative tone, and this might well be reflected in future decisions.

Pres. Greenberg also told the delegates the country must be prepared for a cutback in aid) education, and in the enforcement of civil ghts.

The delegates heard reports from various committees, and a progress report on the status of ıe Birmingham and Gadsden building funds.

A highlight of the conference was the award-...g of certificates to RWDSUers who passed a course on unionism given by the University of Alabama's extension division.

In a concluding ceremony Pres. Parker awarded a plaque to Clarence Williams, chairman of a unit in Selma, for the great contribution he has made to the Council's efforts,

ATLANTA GA 30303

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Lab Prog. Contacts

Ruth Colombo Gets COPE Post in East

Mrs. Ruth Colombo has been named eastern region director of the Women's Activities Dept. of COPE, to succeed Mrs. Esther Murray who has retired, COPE Dir. Al Barkan announced.

Mrs. Colombo, who has been active in the women's program for 10 years, formerly headed the department's Vermont program. She worked with Mrs. Murray during this year's national political campaign.

Mrs. Murray has held the post of eastern region director since the AFL-CIO merger in 1955. Before that she was women's director of CIO-PAC for three years.

AFL CIO News 12 21 68

REPORT: SCME EXECUTIVE BOARD

December, 1968

Washington

Following are the actions taken by the International Executive Board which met here December 2 through 4, 1968:

PRESIDENT'S REPORT

Department of Organization: The report on Organization was presented by Secretary-Treasurer Joseph L. Ames, Field Staff Director P. J. Ciampa and Assistant Field Staff Director Robert Klingensmith.

The report included membership growth figures and a summary of collective bargaining elections. During the period covered by the report, AFSCME won 24 elections and lost six. Director Ciampa gave a special report on the elections in Baltimore. Assistant Director Klingensmith reported on the current organizing program in New Jersey.

Motion to accept the report adopted.

Department of Education: The report on Education was presented by Director of Education Girard P. Clark.

The report covered two types of local union training programs (teacher training and direct training of shop stewards), the leadership development program, staff training, and a new training program for new staff members. The report also covered participation by Education Department staff members in programs sponsored by several councils.

Motion to accept the report was adopted.

Department of Research: The report on Research was presented by Director of Research Donald Wasserman.

The report covered Fair Labor Standards Act problems, a record of work stoppages, computerization of wage data; a review of 1968 court decisions, attorneys-general opinions and labor board rulings on collective bargaining; and assistance to councils.

Motion to accept the report was adopted.

Publication and Public Relations: The report of the Department of Publication and Public Relations was presented by Director Sam Marshall.

The report covered changes and planned changes in *The Public Employee* and *AFSCME Insight*. The report also included Department involvement in strike and organizing situations and work in progress on two new manuals for council and local use.

Motion to accept the report was adopted.

Department of Legislation and Community Affairs: The report on Legislation and Community Affairs was presented by Secretary-Treasurer Ames. (Department Director Robert Bollard was absent, attending a meeting of the COPE Operating Committee.)

The report covered involvement in Congressional affairs including civil rights, housing, antipoverty, education and welfare, grain standards, inter-governmental exchange of personnel, consumer protection legislation.

The Department assisted members of Panama Canal Zone locals on problems with various agencies.

The report also covered assistance in collective bargaining legislative problems in various states and meetings with federal agencies including the departments of Labor, Health, Education and Welfare, Housing and Urban Development, Bureau of Employment Security, Office of Economic Opportunity, and the Neighborhood Youth Corps.

Motion to accept the report was adopted.

Personnel: Secretary-Treasurer Ames presented the report on personnel changes covering the period June 1, 1968 through October 31, 1968.

Motion to accept the report was adopted.

Jurisdictional Disputes and Article XX Cases: The report on Jurisdictional Disputes and Article XX Cases was presented by Robert H. Hastings, executive assistant to the President.

The report covered 16 cases involving SCME since July. Of these, eight are still pending and eight have been closed. Motion to accept was adopted.

Charters Issued, Disbandments, Mergers, and Changes in Names and Jurisdictions: The report was presented by Robert H. Hastings, executive assistant to the President.

During the period, July 1, 1968, to November 15, 1968, 38 locals were chartered, six locals and one council merged, 36 locals had name and/or jurisdiction changes and 11 locals disbanded.

Motion to accept the report was adopted.

SECRETARY-TREASURER'S REPORT

Financial Report—October: Secretary-Treasurer Ames presented the financial report for the month of October, 1968.

Motion to accept the report was adopted.

Year-to-Date Budget Comparison: Secretary-Treasurer Ames presented the budget comparison for the first four months of the fiscal year. The report showed income as $7,662.00 below anticipated income; expenditures, $166,690.00 below the budgeted figure, and a combined figure of $159,298.00 better than the budgeted figure.

Motion to accept the report was adopted.

Investments: Secretary-Treasurer Ames reported that, as of October 31, 1968, the Federation had investments as follows: (1) General Fund Investments—$609,218.46, (2) International Relation Fund $55,710.34, and (3) Building and Social Purpose Fund—$25,084.49. Total Investments—$690,013.29.

Motion to accept the report was adopted.

Loans receivable from Subordinate Bodies: Secretary-Treasurer Ames reported on the status of seven loans. The balance owed as of October 31, 1968 is $39,918.56.

Motion to accept the report was adopted.

Accounts Receivable Write-off: Secretary-Treasurer Ames recommended nine write-offs in the total amount of $11,163.84 against which there is a reserve in the amount of $11,460.82 leaving a net expense of $303.02.

Motion to accept the report was adopted.

Bonding Claims: Secretary-Treasurer Ames reported on seven bonding claims: five claims are still pending, one claim has been withdrawn and one claim was paid and settled on July 30, 1968. Total amount of the claims unsettled is $4,590.00.

Motion to accept the report was adopted.

1970 Convention: Secretary-Treasurer Ames reported that dates have been set for the 1970 Convention in Denver, Colorado. The second quarterly International Executive Board meeting will be in the Denver Hilton on May 4-9, 1969. We will look over the Convention site at that time and make more definite arrangements.

Motion to accept the report was adopted.

Secretary-Treasurer's Report in Full: Motion to approve the Secretary-Treasurer's report, in full, as presented was adopted.

Approval of New International Constitution: Motion was adopted that the printed copy of the International Constitution, as adopted at the Seventeenth International Convention in Bal Harbour, Florida on June 3-7, 1968, and contained in the green-covered booklet, (second printing) is an exact and full copy of the constitution as amended and adopted by the convention.

Penny-Saver Idea: Motion to table was adopted.

Building Corporation of Council 77: Motion was adopted that the International Executive Board of the American Federation of State, County and

(Continued on page 10)

Oberbeck elected judicial panel member

Robert J. Oberbeck of Madison, Wis., has been elected to the SCME Judicial Panel by the International Executive Board.

He succeeds John Zinos of Milwaukee in the judicial post. Zinos has been named SCME area director for the states of Wisconsin, Illinois and Indiana.

Oberbeck, 51, is a graduate of the University of Wisconsin Law School. He has served as director of Wisconsin City and County Employees Council 40 since 1956. He has been a member of SCME for more than 20 years and is active in civic affairs.

He has served as treasurer and vice president of the Madison Community Welfare Council, the Citizens Advisory Committee to the Mayor and is a member of the advisory committee to the Wisconsin Employment Relations Commission.

The seven-member Judicial Panel hears and decides on intra-union disputes and trusteeships.

Victor Solito named to executive board

Victor Solito of Houston has been elected an SCME vice president by the International Executive Board to fill the unexpired term of Don McCullar who resigned to become International area director for the state of Texas.

Solito, 58, is vice president of Local 1550 in Houston. He works as a senior appraiser for the city. He has served as a steward and a member of the local's negotiating committee.

He was a delegate to the last two SCME conventions.

In Houston, he and McCullar served on the city's pay raise committee for three years. The pay raise committee has obtained significant raises for members in Houston. He is a member of the Fraternal Order of Eagles and has served on the Grand Jury Association.

Former Vice President McCullar said he had worked closely with Solito on many projects and that "he will be a definite asset on the executive board." McCullar served on the board since May, 1964.

Solito is an avid hunter and fisherman. He is married and father of one daughter.

What They Wore...by PHYLLIS JOYCE

For a FREE booklet "Fashion and You" write to Consumer Service, Dept. WW, ILGWU, 275 Seventh Avenue, New York, N.Y. 10001.

MERRY CHRISTMAS

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Contacts

Zonarich Announces Staff Changes That Effect Southeast

N. A. Zonarich, organizational director of the Industrial Union Department, AFL-CIO today announced staff changes effecting the Southeastern Office of the Industrial Union Department, AFL-CIO. The announcement was made from the Washington headquarters of the Industrial Union Department, AFL-CIO.

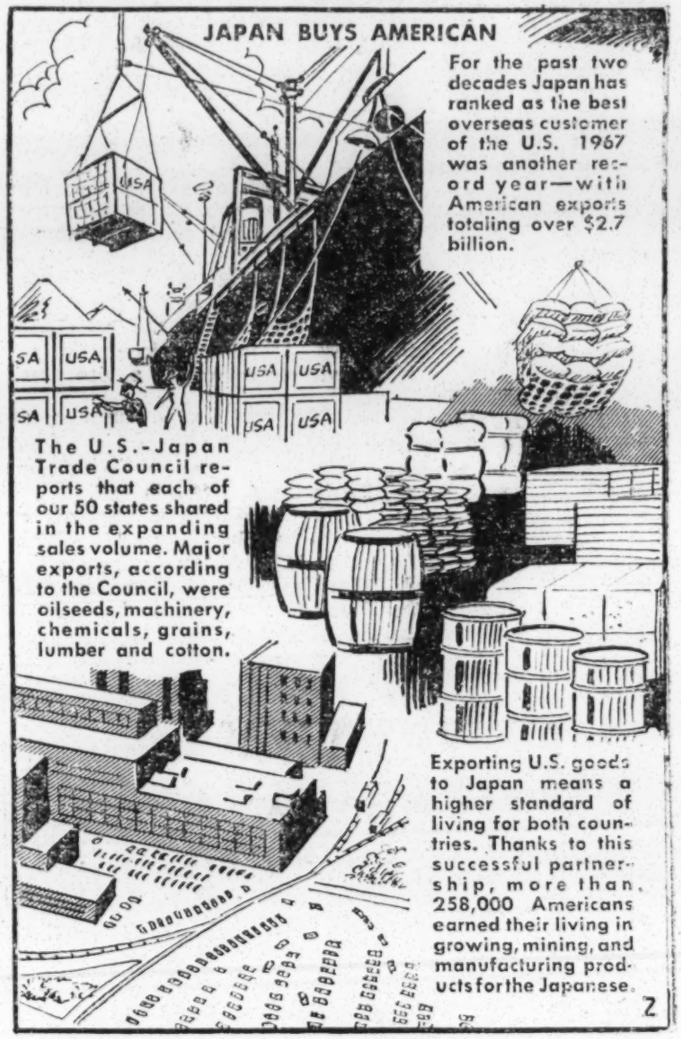
James M. Pierce who has served as Southeastern coordinator for the Industrial Union Department since early in 1963 has been moved to the position of Southern area director for the American Federation of State, County and Municipal Employes, AFL-CIO. Harold D. McIver will assume the position of southeastern coordinator effective immediately.

Pierce was appointed the IUD coordinator at the time the Industrial Union Department expanded its operation in 1963. At that time he replaced Joseph Applebaum who had been the southeastern coordinator from the beginning of the Industrial Union Departments pilot program in 1961. Applebaum was transferred to Boston, Massachusetts to set up the IUD organizing program in the northeast. He later was made national director of organizing for the Oil, Chemical and Atomic Workers, AFL-CIO.

In his new assignment Pierce will direct the affairs of the American Federation of State, County and Municipal Employes in an 11 state area of the South, with headquarters in Charlotte.

McIver, 37, of Atlanta, Ga., has been with the IUD since the program was expanded in 1963. He is a member of the United Steelworkers of America, AFL-CIO and an international representative of that union. McIver was one of the principal representatives of Industrial Union Department in the planning and execution of the IUD organizing campaign in the L-P

IT'S A FACT!



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gram was expanded in 1963. He is a member of the United Steelworkers of America, AFL-CIO and an international representative of that union. McIver was one of the principal representatives of Industrial Union Department in the planning and execution of the IUD organizing campaign in the J. P. Stevens & Co. plants. During the past two years McIver has been responsible for the expansion of the Stevens campaign outside of the two Carolinas into Georgia and other states.

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Best wishes for the Holidays!

It's a pleasure and a privilege at Christmastime to be able to set aside the cares and problems of our workaday world and extend our best wishes for a Merry Christmas to our friends and customers.

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General Building

Durham, N.C.

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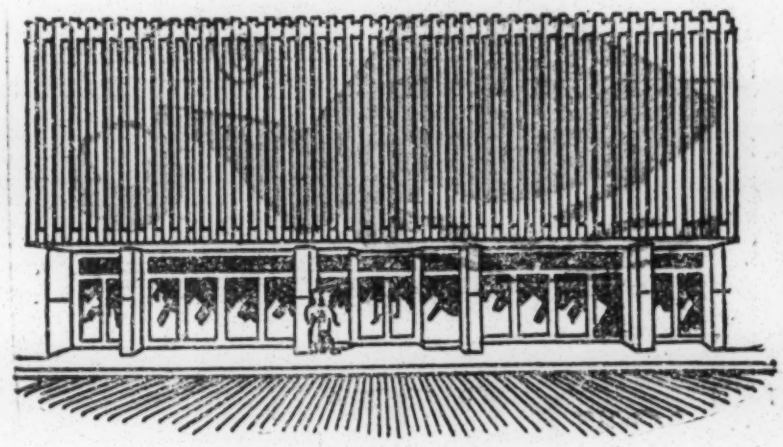


MUTUAL SAVINGS and LOAN ASSOCIATION

DURHAM'S HEADQUARTERS FOR INSURED SAVINGS & HOME LOANS

112 W. PARRISH ST. PHONE 688-1308

DURHAM, N. C.

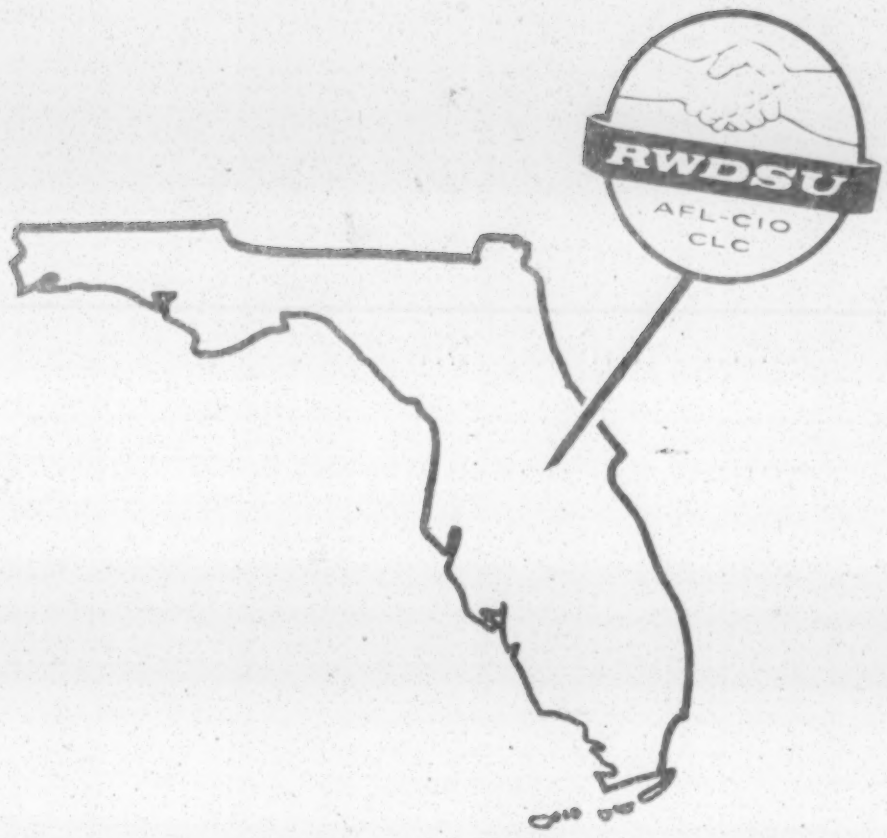
1-26-69

Parker Promoted

FRANK PARKER, formerly assistant Southern director of the union, has been promoted to acting Southern director. His office is in Birmingham, Ala.

Phila Record 1-26-69

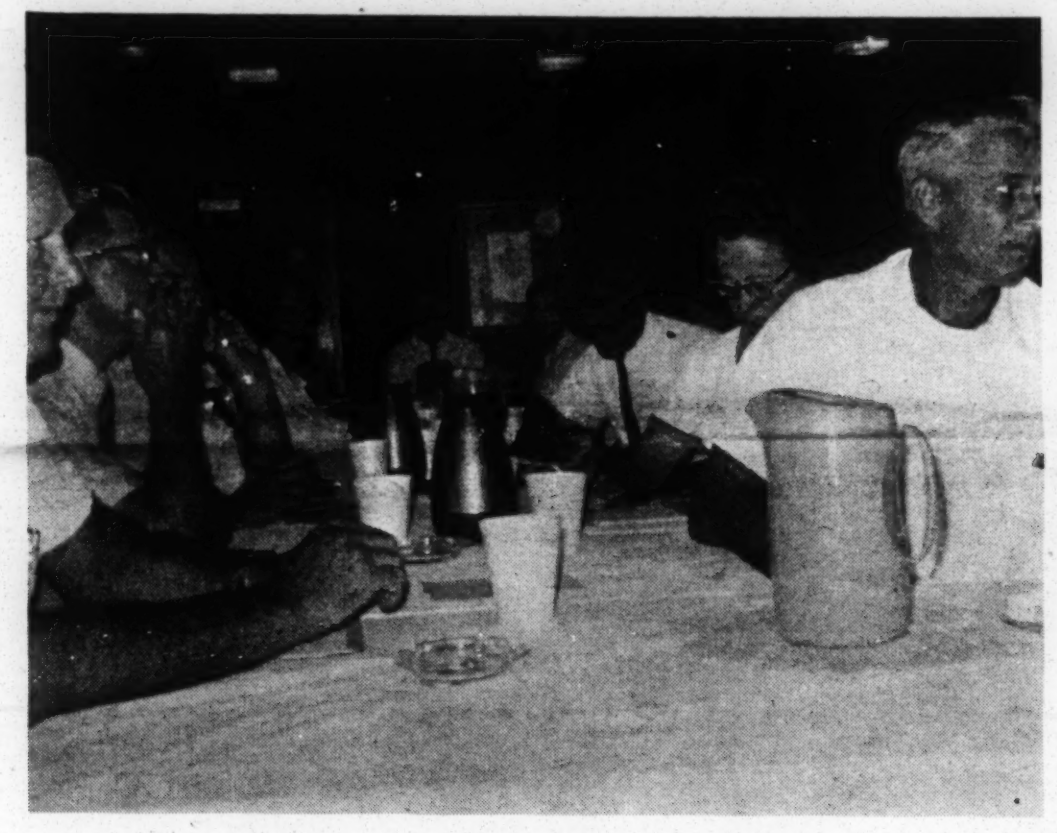
6-22-69



CONGRATULATIONS: Int'l Sec.-Treas. Alvin Heaps (center) offers congratulations to Helen Mackey on her election as recording secretary of Florida Council. Looking on are (from left) Council Sec.-Treas. John Hinson, Council Pres. John Parker and RWDSU Vice-Pres. Frank Parker.

Florida RWDSUers Form a State Council

Labor Contacts



COUNCIL CONFAB: Delegates representing several thousand RWDSUers in the Sunshine State gather in Orlando to establish new RWDSU body.

ORLANDO, Fla.

Delegates from RWDSU locals in Florida met here June 7 and 8 and formed the Florida Council.

The delegates adopted a constitution and by-laws, applied to the International Union for a charter and elected a slate of officers.

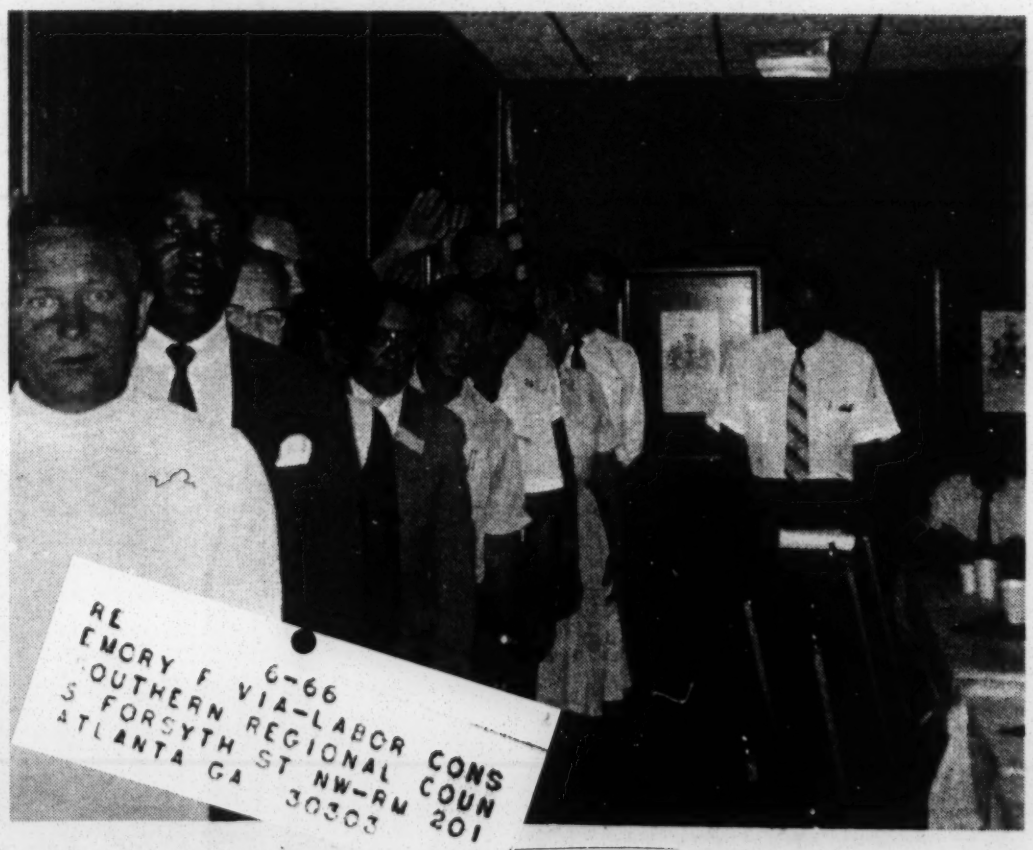
RWDSU Vice-Pres. Frank Parker served as temporary chairman until the Council officers were elected.

The officers are John L. Parker, Local 595, Ft. Myers, president; John Hinson, president of Local 43, Dade City, secretary-treasurer; Helen Mackey, secretary-treasurer of Local 1020 in Orlando, recording secretary of the Council, and William Wallace, president of Local 243, Haines City, chaplain.

Elected as trustees were Harold Reedy of Local 43, Louis Alvarez of Local 890 in Tampa and Tommy Edenfield of Local 1025 in Plymouth.

Int'l Sec.-Treas. Alvin E. Heaps installed the officers.

A recommendation was made that each local pay $1 per month for each member to the Council. The delegates also approved the formation of permanent committees, including a strike fund committee, an education committee, a constitution and by-laws committee and a COPE committee. Each local will select one member to serve on each of the permanent committees.



SWEARING-IN: Al Heaps (holding papers) installs officers and trustees of the Florida Council. At right, rear, is Frank Parker.

RL
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SOUTHERN REGIONAL COUN
S FORSYTH ST NW-RM 201
ATLANTA GA 30303

ATLANTA GA 30303

Labor Contacts

HOTEL, MOTEL AND RESTAURANT EMPLOYEES UNION LOCAL 151 – AFL-CIO

P. O. BOX 1572 ATLANTA, GA. 30301

MARSHALL B. RACE
PRESIDENT

523-3489

JAMES McENDREE
FINANCIAL SECRETARY

David Herman
Int'l Organizer

September 22, 1969

Southern Regional Council, Inc.
5 Forsyth Street, NW
Atlanta, Georgia 30303

Dear Friend:

As an organization that has occasion to use hotel facilities for banquets and other social functions we thought you might be interested in the pending dispute between this union and the Regency Hyatt House.

We will be more than happy to supply any additional information that you might want.

Cordially yours,

James McEndree

James McEndree
Secretary

JM/h

Citrus pacts boost pay and benefits

PLYMOUTH, Fla.—Several hundred workers at two large citrus associations have won new contracts which feature substantial wage increases and a wide range of improvements in benefits, many of which are unique to this industry.

At the Plymouth Citrus Growers Ass'n here, the Local 1025 workers won a total 11 percent wage hike over the two-year life of their contract. Several workers won additional gains of from 5 to 16 cents per hour, as a result of job upgradings.

The contract also provides for two additional paid holidays, Labor Day and Dec. 31, bringing the total to eight; season-end bonuses for seasonal employees, amounting to two percent of gross pay after one complete season, and four percent after five seasons; a new paid vacation system which gives the worker full credit for overtime.

Taking into account the rapidly rising cost of living, the agreement assures workers that management will absorb all health insurance increases over the life of the pact, in addition to its normal two-thirds contribution to the program; and that if c-o-l rises reach the five percent mark, wage talks will be reopened.

At the Fort Pierce Growers Ass'n in the city of that name, Local 576 won a one-year agreement providing a minimum wage boost of ten cents an hour. Many workers received more when they were brought up to the $2 an hour level and then granted the dime. Piece-work packers received a ¼ cent per fruit increase.

The pact also doubled the firm's previous five cents an hour contribution to the International Pension Program, and a parallel doubling of benefits, from $60 to $120 per month; an additional paid holiday, Good Friday, bringing the total to seven; and a new job-bidding clause to insure workers already working at the plant that their promotions will not be endangered by fresh hiring to fill higher-level vacancies.

Florida Council Pres. John Parker, who headed negotiations at both associations, was assisted at Fort Pierce by Local 576 Pres. Lenore Harris, Shelley Galbreath, Jewel Richardson, Otis Smith, Leon Briggs, Mrs. Dingler, Gay Christmas, and John Williams; and at Plymouth, by Local 1025 Pres. Al Nesmith, John Todman, Needa Lefew, Geneva Coon, Nola Harper, William Dydell, and Mary Duncan.

Coffee loaders lift pay, fringes

NEW ORLEANS, La.—Local 389 and the Kentucky Coffee Warehouse have recently concluded negotiations for a contract renewal in behalf of a unit of loaders.

In addition to an hourly wage increase of 38 cents, to be distributed in three annual steps, the workers won an additional five-cent company contribution to the pension program, thus bringing the total to 15 cents per hour per worker.

Ala. Mid-South Council Rep. Joe McCullough was assisted by Charles Washington, who is both shop chairman and local president.

Discount Center hit by strike

PORT ARTHUR, Tex.—As The Record goes to press, 64 members of Local 587 are still out on strike against Gibson's Discount Center here.

The union participated in an election at Gibson's, Dec. 23, 1969, but the result was inconclusive due to the number of challenges. Some time after the election the company fired the employee who led the organizing drive. Int'l Rep. Jake Stewart filed unfair labor practice charges, and during the summer, the union picketed the store.

With the company refusing to bargain in good faith, the workers again went out on strike Nov. 22.

Stewart said there are reports that Gibson's may be sold shortly, and he feels that any new ownership must be aware that they "are buying a strike."

'503' installs officers

Clifton Hernandez, outgoing president of Local 503 who served 23 years in the post, stands at far left beside newly elected president, James Spurlock, Others standing from left, are Ala. Mid-South Council Dir. C. T. Daniel, Council Rep. Joseph McCullough, and Exec. Board members Edgar Melton and Horace Joseph. Seated, from left, are Exec. Board member Ruth Stiorys, Vice-Pres. Violet Calico, Sec'y-Treas. Catherine Stortz, and Rec.-Sec'y James R. Guerin, Jr. Absent at the time was John Partero, sergeant-at-arms.

Lifesaving milkman

ARTHUR ALEXANDER, left, Local 101-A milk driver employed at White Dairy in Birmingham, Ala., has been cited by President Nixon "for exceptional service to others in the finest American tradition." One early morning last January, Alexander detected gas as he made a delivery. Prolonged and persistent pounding on the customer's door finally aroused a family member. All occupants of the house were in a dazed condition as Alexander escorted them outside. For his alert action Alexander has also been presented the Liberty Mutual Life Insurance Co.'s Life-Saver's Award, and the Milk Industry Foundation's Pasteur Award for 1970. Shown congratulating Alexander is C. T. Daniel, Ala. Mid-South organizing director.

Cafeteria card check gains recognition

MERIDIAN, Miss.—The RWDSU has won recognition by card-check at the McCain Naval Station cafeteria, which is owned and operated by Space Service of Georgia.

This marks the latest of a series of organizing victories among base cafeteria workers in Florida, Georgia, and Alabama.

Int'l Rep. Henry Jenkins, who headed last month's victory drive at the Corry Navy Base in Pensacola, Fla., also conducted this campaign. Negotiations are expected to get under way soon.

Refuses to tip-toe through picket line

COCOA BEACH, Florida (PAI) —When Tiny Tim came here with Miss Vicky to do a show at the Cape Kennedy Convention Center of the Cape Kennedy Hilton Hotel, he found pickets of Local 709 of the Hotel & Restaurant Employees marching around it.

"A million dollars in cash right in front of me, I would not cross a picket line to do a show," said Tim.

A fine slowdown

ATLANTA, Ga.—An accumulatin of unresolved grievances provoked the Fraternal Order of Police, which represents 600 of the city's 900 men in blue, to order a slowdown.

How do cops conduct a slowdown? By not making any misdemeanor arrests, thus cutting the city off from the revenue it receives on misdemeanor fines.

PAGINATION INCORRECT

So Low School
11/13 - 11/18

Ala Convention
Ran the week
Oct 10, 11, 12
City Aud.
Battle House

Speech

Dr. Debaer
Pol. Sci.
Florence State Teachers
Weeks known -
Can he teach -
Ex Kansas -
Bill Kuhl lead?

Auburn
Andrew Weaver - scholarship

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Education Director, Amalgamated
Clothing Workers (Bremer, Ga.)

Charlie English - Int'l V.P.
Amalgamated Clothing Workers
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Jim Jackson, Mississippi
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Amalgamated Clothing
Workers (Jackson, Miss.)

Goodeyy CR

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GRAND LODGE OFFICERS

International Association of Machinists and Aerospace Workers

International President
P. L. SIEMILLER
1005 Machinists' Bldg.,
Washington, D. C. 20036

General Secretary-Treasurer
MATTHEW DeMORE
709 Machinists' Bldg.,
Washington, D. C. 20036

General Vice Presidents

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Long Beach, Calif. 90807

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Oliver

George Halloway — Memphis — Negro
UAW — (~~Detroit~~)
has Southern responsibility

out of I-H #96

Watts —
to get Negro's elected to office —
(Herb Lewis at Rutgers)

Liberal EV Union Admin approach —

#34 — desi. problem — involved complaint —

Lynn Battle
run for office, lost in primary —
not esp. good — but treated badly

Atlanta Negro Club — Better Negro Business — talk to Ash Earl —

Hart — 882 prez.
Ba. Fair Practices Council, Chm —
Possible classes
L Oliver went out through Baltimore —

watch for Ed. Dept.

use Halloway on real little effort

The Power & Dem. Value —

I Am Pol System & Unions

II } Changing South
III }

IV ~~Labor's~~ Responsibilities to Self & to ~~Union~~ Societies

Law — Apprentice Act in

Bob Wirin — Univ of Va had extensive notes on proposed teaching outline

U of W Va Appalachian Project

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Mr. Roy R. Evans – By UAW carpenters over rows
Texas State AFL-CIO
40-45% affiliated UAW-USWA holdouts

Mr. J. Bill Becker
Arkansas State AFL-CIO

Mr. E. J. Jacobs
Arkansas State AFL-CIO

Mr. J. S. Weeks
Arkansas State AFL-CIO

Mr. Donald D. Stafford
Birmingham AFL-CIO Labor Council
1712 7th Avenue, North
Birmingham, Alabama

Mr. J. M. Jones
Birmingham AFL-CIO
Labor Council
1712 7th Ave., North
Birmingham, Alabama

Mr. Fred M. Wall
IUOE, Local 351
Route 2, Box 101
Stinnett, Texas

Mr. Harold Boyd
Virginia State AFL-CIO

Mr. J. (Jake) Williams
North Carolina State
AFL-CIO

Mr. Lonnie Bassett
Sheet Metal Wkrs.
4632 Selwood Road
Richmond, Virginia

Mr. George Dixon
ILA
505 Davis Avenue
Mobile, Alabama

Mr. Herbert C. Green
UAW Region 8
525 St. Paul Place
Baltimore, Maryland

Mr. D. J. Hofer
Retail Clerks Union,
Local 455
6001 Gulf Freeway
Unit B, Bldg. B
Suite 131
Houston, Texas

TENTATIVE LIST OF DELEGATES

(continued)

Mr. Shelby Phillips
Pulp-Sulphite
P. O. Box 192
Eros, Louisiana

Mr. R. Purtle
915 Montclair
Benton, Arkansas

Mr. George Thomas *
United Packinghouse Workers
2350½ North Main
Fort Worth, Texas

Mr. Schuyler G. Smith
IBEW
1300 Biscayne Drive
Little Rock, Arkansas

Mr. Tony Ziegler
IBEW
317 Eleonar Street
New Orleans, Louisiana

Mr. B. R. Upton
Carpenters
730 Wingfield Street
Jackson, Mississippi

* Undecided

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

EXECUTIVE COUNCIL

GEORGE MEANY, PRESIDENT
WM. F. SCHNITZLER, SECRETARY-TREASURER

WALTER P. REUTHER
DAVID DUBINSKY
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RICHARD F. WALSH
JAMES A. SUFFRIDGE
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PAUL L. PHILLIPS
HERMAN D. KENIN
P. L. SIEMILLER
PAUL JENNINGS
RALPH HELSTEIN

815 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006

PHONE: NATIONAL 8-3870

Contact AFL-CIO

August 8, 1966

MEMORANDUM

TO : Irv Beller, Department of Research, AFL-CIO
Frank Fuller, Department of Education, International Woodworkers
Al Kehrer, Department of Civil Rights, AFL-CIO
Emory Via, Southern Regional Council Inc.
Paul Wagner, United Auto Workers
Dan Powell, AFL-CIO COPE

FROM : George T. Guernsey, Department of Education, AFL-CIO George

SUBJECT: 1966 GULF COAST LABOR SCHOOL

I'm attaching a list of the registrations for the Gulf Coast Labor School. I spoke to Barney Weeks today and he feels that there may be an additional ten registrations. THIS IS THE LARGEST GULF COAST SCHOOL we have had to date!

If possible I hope you can be registered in at the Sheraton-Battlehouse Hotel, Mobile, Alabama, by 4 p.m. Sunday, August 14. There will be a good deal of work to be done in organizing the classes and workshops for a group this large. Who knows, you may have to teach the same class two or three different times.

GG:cem
opeiu #2 afl-cio
Attachment

Phone 8/9/66

H.H. agreed ok. for EEV not to make.

Alabama LABOR COUNCIL, AFL-CIO

324-5648 • 604 LYRIC BLDG.
BIRMINGHAM, ALABAMA 35203

BARNEY WEEKS, PRESIDENT
A. G. TRAMMELL, SECRETARY-TREASURER
WM. E. MINTZ, EXECUTIVE VICE-PRESIDENT

August 5, 1966

Mr. George Guernsey, Assistant Director
Department of Education, AFL-CIO
815 Sixteenth Street, N. W.
Washington 6, D. C.

RECEIVED
EDUCATION
AUG 8

Dear George:

As of today, we have received 69 credentials to the Southern Labor School, 58 of which are paid. The five delegates from Steelworkers Local 1466, Bessemer, Alabama, listed in my letter of July 29, to you, will not attend since officers of this local will have to be in Chicago at that time due to contract disputes. Due to the Governor's race in that state, Treasurer Louise Dean will replace W. H. Montague as delegate from the Georgia AFL-CIO. Following is a list of the credentials:

Ala. State Assoc. of Barbers	Tuscaloosa, Alabama	Walter B. Boyd
Georgia State AFL-CIO	Atlanta, Georgia	Mrs. Louise Dean
Montgomery Central Labor Coun.	Montgomery, Alabama	Joe F. Garrard
Pulp Sulphite Local 157	Tuscaloosa, Alabama	David V. Johnston A. E. Davidson O. W. Stokes
Steelworkers Local 3574	Birmingham, Alabama	John T. Cole J. R. Shelton L. B. Hallmark
Glass Bottle Blowers 196	Montgomery, Alabama	Henrietta Nobles Kelpie Tremontana Frances E. P. Taylor
Clothing Workers Local 910	Andalusia, Alabama	Merrill Petty Paul Whitehurst
UAW Local 1155	Birmingham, Alabama	Charles Mays E. M. Peoples R. B. Martin T. V. Armstrong
ILGWU 378	Florence, Alabama	Marvella Snoddy
Clerks Local 761 (RWDSU)	Huntsville, Alabama	C. A. Byrd James Elkins

Alabama Labor Council	Birmingham, Alabama	Barney Weeks William E. Mintz A. G. Trammell
Textile Workers L465	Mobile, Alabama	Edley Oden Clifford Shirah Amelia P. Lloyd
Machinists Dist. Lodge 178	Anniston, Alabama	Hollis W. Wilson
RWDSU Local 102A	Mobile, Alabama	James L. White
IBEW Local 1264	Mobile, Alabama	J. C. Burns
Steelworkers Local 320	Mobile, Ala.	Max W. Morgan John E. Bridges John Doss Thomas McKinstry
Steelworkers Local 1151	Birmingham, Alabama	Leroy Bridges Carl Powell
Machinists Local 372	Bessemer, Alabama	Frank E. Hyde
ILGWU	Florence, Alabama	Ed Sharp
Butchers Local 215	Montgomery, Alabama	James R. Lee
Chemical Workers 754	Atlanta, Georgia	Coleman Lynn, Jr. Daisy M. Mann Mary L. Gurley Josephine Callier
Laborers' Local 145	Jackson, Mississippi	Tommie Griffith
Chemical Workers 125	Anniston, Alabama	Joseph E. Mundy William T. Cambron
Brick & Clay Wkrs. 554	Meridian, Mississippi	Aaron Hopkins Arthur Darden
Tobacco Workers 334	Cullman, Alabama	W. A. (Joe) Buckelew
Office Emp. Local 52	Sheffield, Alabama	Catherine Akin
Iron Workers 92	Birmingham, Alabama	J. L. Harlon
Steelworkers Local 1109	Birmingham, Alabama	Emmitt Hicks Oliver Harper
Pulp Sulphite Local 602	Tuscaloosa, Alabama	James Fulghan
Longshoremen 1752	Pascagoula, Mississippi	Ronald K. Robinson
Aluminum Workers Local 200	Muscle Shoals, Ala.	Coolidge B. Hatton Travis O. Dawson Rufus B. Marthaler

Bookbinders Local 96	Atlanta, Georgia	Truitt L. Crunkleton
ILGWU Andrew Knit Local	Tuscaloosa, Alabama	Syble Neal Ola Mae Cork
ILGWU Local 527	Town Creek, Alabama	Mary Green Jimmie Doris Kelly
Atlanta, Ga. Regional Office Laborers' Int'l Union	Atlanta, Georgia Mobile, Alabama	Frank C. Gullatte Elbert Robinson
Rubber Workers	Cottondale, Ala.	James O. Elliott
Mobile, Ala. Regional Office United Papermakers & Paperworkers	Tuscaloosa, Ala. Mobile, Ala. Memphis, Tenn.	Clifton King Al Dunaway Jack Hydrick

The last eleven listed above are those which have not as yet paid their registration fee. However, Truitt L. Crunkleton of the Bookbinders 96 in Atlanta, Georgia, is waiting to receive my letter of today letting him know the cost of tuition only and said he would mail his check on in.

The Atlanta Regional Office of the Laborers' International Union sent a letter with their credential stating that tuition had been paid direct from their Washington office, but we have not as yet received the check from Washington.

We received a letter from the Regional Office of the Papermakers stating Representative Jack Hydrick would pay his fee upon arrival, making no mention of the other two representatives listed on their credential.

All other credentials stated registration fees would be paid on arrival at the school.

Sincerely and fraternally,

Barney Weeks
President

mw

OPEIU-18

8

KENTUCKY STATE AFL-CIO LABOR SCHOOL

ADVANCED CLASS

1.	R. J. Cassady	Machinists 681
2.	Robert Adams ✓✓ Committee Asign.	Machinists 681
3.	Harry Webb ✓✓✓ Steward	Distillery 39
4.=	William Harry Price ✓✓ Pres.	Distillery 39
5.	Charles Parker ✓✓ Pres.	Rubber Workers 665
6.	Dalton (Joe) Masterson ✓✓ Committeeman A	Tobacco 16
7.	Charles Whitehead	Steelworkers 6828
8.	Joe Medley ✓✓ Pres. ✓	Distillery 16
9.	Joe Thomas ✓ Fin. Secty. ✓	Distillery 16
10.	George King ✓✓ Trustee ✓	Tobacco 247
11.	Thomas L. Barnett ✓ Pres. ✓	Distillery 173
12.	Irene Lee ✓✓✓ on Com.	AIW 783
13.	Lawrence Fultz ✓✓✓ V.P.	OCAW 3-505
~~14.~~	~~Virgie Smith~~	~~ILGWU 472~~
15.	Frank P. Maloney ✓✓ V.P. ✓	Aluminum 140
16.	Billy A. Williams ✓✓ Committeeman ✓	Tobacco 201
17.	Lee Russell ✓✓ ✓ - Secty -	Glass Workers 1009
18.	Martha Bottom ✓✓ ✓ Pres.	Clothing Workers 120
19.	Robert Rickert, Jr ✓✓✓ Committeeman	Tobacco 185
20.	Wilmer Carol Wood	Machinists 1485
21.	Glenn D. Allen ✓✓ ✓ Secty.-Treas.	OCAW 3-584
22.	Vernon Hepke ✓✓✓ V.P.	Brewery 20
23.	Norbert Nix ✓✓ ✓ Member	Distillery 111
24.	Henry Jackson ✓✓ ✓ Pres.	Distillery 111
25.	Frank Moore ✓ A Member A	Distillery 111
26.	Mary Nusz ✓✓✓ Fin. Secty.	Distillery 111
27.	John T. Stallings ✓✓✓ Trustee	Distillery 111
28.	James Dickens ✓✓✓ V.P.	Upholsterers
28	Loren Baker ✓✓ 1st V.P.	IUE-761
29.	Robert Hardin ✓✓ Chief Stew.	IUE-761
•	Aulton Ray ✓✓ Ex. Bd. A	173 Dist.
•	Ben Moore ✓✓✓ Bd.	I BEW

Emory Via

1966 NILE SOUTHERN STAFF TRAINING INSTITUTE

Center for Continuing Education
University of Georgia, Athens

January 9-- February 4

also DE CONTACTS

TENTATIVE LIST OF DELEGATES

Lawson C. CHITTY 211
RWDSU Local 43 (2/65)
P. O. Box 847
Dade City, Florida 33525

Hub COPE 206
ACWA Local 607 (8/59)
214 N. 1st Street
Mayfield, Kentucky

Fred W. CORY 212
TWUA (5/65)
404 Tunnel Blvd., Apt 2-J
Chattanooga, Tennessee

John J. EARLEY (207)
CWA (8/65)
462 Hogan Road
Nashville, Tennessee

Eugene GORE 202
AFL-CIO IUD
Box 8654, Station "A"
Greenville, S. Carolina

John W. JENNINGS 206
UTSE Local 2026 (3/65)
1311 Ardmore Drive
Greensboro, N. Carolina

Guy JOHNSON 209
ICWU (3/65)
Rt. 2
Broxton, Georgia
c/o Jesse Harper

Kenneth W. LAX 220
IBEW Local 2171 (7/63)
1610 Commerce Bldg.
Ft. Worth, Texas 76102

Robert W. LEE 228
Lithographers L 10-P (6/65)
83 W. Lakewood Drive
Fenton, Missouri 63026

*Zell LIPSEN
Painters, Brotherhood of
c/o 1925 K St., N.W.
Washington, D. C. 20006

Keith McALILEY 216
IBEW Local 1570 (3/58)
Rt. 1, Box 643-B
Carmel, Indiana

H. H. McQUEEN 221
Laborers Local 229
1314 Milland Street
Shreveport, Louisiana

Hugh OWEN 210
OCAW Local 3-550 (6/63)
2503 Clearpark Drive
Memphis, Tennessee 38127

Robert J. PETERS 209
ICWU Local 377
Rt. 2, Box 35-H-3 (12/63)
Bartow, Florida

Elbert ROBINSON 202
Laborers Local 70
1818 Hinson Avenue
Mobile, Alabama

Fred C. ROBINSON 224
IBEW Local 847 (7/63)
229 Flora Avenue
Rome, Georgia 30161

William G. ROBINSON 210
IUE Local 182 (12/63)
Rt. 2, Box 920
Connelly Springs, N. Carolina

James E. STEWART 202
Laborers Local 576 (8/63)
1818 Dumesnil Street
Louisville, Kentucky 40210

Virgil A. STOKES 225
Painters Local 901 (10/63)
409 McCain Drive
Monroe, Louisiana

Michael VOLK 226
UAW Local 678 (10/41)
5317 Kingfish Street
Orlando, Florida

Wallace G. WICKLIFF 218
IBEW Local 1907 (12/63)
514 S. Park Street
Bellefontaine, Ohio

Jimmie Lee WILLIAMS 210
Steelwkrs L-2405 (11/65)
409 53rd Street
Fairfield, Alabama

GG:cem
oeiu #2 afl-cio
1/7/65

201-203 GG
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234 EFU
236-1831

1967.

U.S. DEPARTMENT OF LABOR
Bureau of International Labor Affairs
Washington, D.C. 20210

Mr. Paul Anthony
Director
Southern Regional Council
5 Forsythe Street, N.W.
Atlanta, Georgia

Dear Mr. Anthony:

This will confirm arrangements made with your office in connection with the program being implemented by the Trade Union Exchange Programs Division, Bureau of International Labor Affairs, U.S. Department of Labor.

The entire period of time the visitor(s) will spend in your area is outlined in the enclosed city program including the date and the time of the visit.

We deeply appreciate the time you are devoting to this program. We are confident its results will have a long-term effect in advancing the objectives of the United States throughout the world.

Sincerely yours,

Walter Sanford.

Walter E. Sanford, Labor Advisor
Trade Union Exchange Programs Division

Enclosures

x 1. City Program
x 2. Biographical Data
__3. Travel Schedule
x 4. Hotel Listing/Itinerary
__5. Labor Digest
__6. Project Background Paper

PROGRAM OBJECTIVES

This group of six Turkish women trade unionists representing three Turkish unions, including textile workers, food, and tobacco workers are in the United States under the auspices of the Agency for International Development (AID), U.S. Department of State. Their program is being arranged by the Trade Union Exchange Programs Division of the Bureau of International Labor Affairs, U.S. Department of Labor. Their presence here attests to the increasing role of women in industry as well as in the Turkish labor movement.

The members of this team originate from unions affiliated to the Turkish Confederation of Trade Unions (Turkiye Isci Sendikalari Konfederasyonu) - Turk-Is, the national trade union center of Turkey, comprising some 476,000 members, affiliated to the International Confederation of Free Trade Unions (ICFTU).

Unlike most Moslem countries in the Middle East, women gained emancipation in the 1920's when Mustafa Kemal Ataturk established a constitutional republic in 1923. As industry developed, women migrated from Turkey's predominantly rural areas into the cities and assumed an important role, especially in the light consumer industries. However, despite both statuatory and technological developments, cultural habits and mores of the old order still linger and in many rural areas, women are still accorded an inferior role in the life of the community. With universal education and the dimunition of illiteracy, women are rapidly emerging as a force in Turkish political, social, and economic life.

As Turkey continues to industrialize, more and more women will be brought into the work force and from the experience gained in many European countries and in America they will undoubtedly be concentrated in those industries where women have proven more adept than men. With this prospect for the near future, it is important to the Turkish labor movement that the women be prepared to accept their full responsibilities as leaders and members.

The primary objective of the team's visit is to provide them with a comprehensive view of the role of American women in industry, and especially in those comparable industries and unions from which the team members originate. Emphasis will be directed towards demonstrating how women, like men, can play a significant role in organizing unions participating in contract negotiations and sharing in policy decision-making.

To effectuate these objectives, the team will undergo an orientation period in Washington to be followed by corresponding field visits to leading industrial cities on the Eastern Seaboard. Here they will observe such basic union practices as record keeping, grievance procedures, the steward system, and collective bargaining techniques and practices. Industries and shops selected for observation will be those carrying a major complement of women. Subsequent visits will be made to selected mid-Western cities and particularly to those unions having specific programs, especially directed towards enlisting the maximum participation of women in the political, legislative, and economic life of the community. Likewise, the role of union women in civic, social, and welfare activities will also come under review.

Atlanta

Thursday, August 3	ARRIVE ATLANTA, GEORGIA Residence: Atlanta-Biltmore Hotel 817 W. Peachtree St. N.E. Telephone: TR 5-3461
Thursday, August 3	
2:00 p.m.	
SOUTHERN REGIONAL COUNCIL 5 Forsythe Street, N.W. Telephone: JA 2-8764	Discuss the history, purpose, and functions of the Council, the social variance in the American society, and other matters of mutual interest.
Friday, August 4	
10:00 a.m.	
AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO North Georgia Joint Board 1151 Regent Street, S.W. Telephone: PL 3-4543 Mrs. Oma Barton Manager	Conferences with the manager and other representatives on the latest provisions of the contract the union holds with the Cluett Peabody and Company emphasizing wages, hours of work, and working conditions. Also a review of the role of American women in industry, union organizing, contract negotiations, and sharing in policy decision making.
2:00 p.m.	
CLUETT, PEABODY AND COMPANY 2022 Murphy Avenue Telephone: 755-4551 Mr. Edward B. Baker Regional Manager	Tour of the company's facilities to observe day-by-day operations and working conditions of employees. Also confer with management representatives on the effect that technological change has had on employment in the garment industry and the significant role of women workers in the plant operations.

PAGINATION INCORRECT

Saturday, August 5

(all day)

ATLANTA COMMITTEE FOR INTERNATIONAL VISITORS
Atlanta Biltmore Hotel
817 West Peachtree Street, N.W.
Telephone: 875-2474
Mrs. Reinhold E. Mutzberg
General Chairman

Arrangements have been made through the Committee for a sight-seeing tour of Atlanta and the surrounding area and for home hospitality with American families.

Sunday, August 5

ARRIVE ST. LOUIS, MISSOURI
Residence: Mayfair Hotel
806 St. Charles St.
Telephone: CE 1-7500

Monday, August 7
through
Wednesday, August 9

UNITED GARMENT WORKERS OF AMERICA, AFL-CIO
31 Union Square West
New York, New York
Telephone: WA 4-6860
Miss Catherine C. Peters
Secretary-Treasurer

NOTE: Meetings will be held in the Convention Hall of the Sheraton-Jefferson Hotel at 12th and Locust Streets, St. Louis, Missouri.

Arrangements have been made through the office of the Secretary-Treasurer for the participants to attend the Union's convention as observers. The majority of the delegates will be women and this will afford the participants an opportunity to observe the proceedings and to see the women accept their full responsibility as leaders in the trade union movement. They will meet with delegates from various affiliated local unions and participate in activities conducted by the union for visiting foreign labor leaders.

TURKEY INDUSTRIAL RELATIONS TRAINING

Women's Role in the Trade Union Movement

PIO/P 277-356-1-70207

Period of visit to the United States: July 24 - September 4, 1967

Program under the auspices of:

AGENCY FOR INTERNATIONAL DEVELOPMENT
Washington, D.C. 20523

Stewart B. Hamblen, Chief — Tel: DU 2-1832
NESA-IT/PD-AID

Thomas F. Lerch
Program Development Officer
NESA-IT/PD-AID

Program arranged by:

Trade Union Exchange Programs Division
Bureau of International Labor Affairs
UNITED STATES DEPARTMENT OF LABOR
Washington, D.C. 20210

Edward M. Lonergan, Director
Leland Snow, Program Officer — Tel: 386-4698

Biographical Data

Miss Ayten CILINGIROGLU Cumhuriyet Nahallesi Dereici Sok. No. 1 Trabzon, Turkey	Staff Accountant and Executive Board member, Trabzon Local, Turkish Tobacco, Alcoholic Beverages, Food and Allied Workers' Union, Turk-Is. Employed as an accountant by the Trabzon Directorate, Turkish government monopoly. Age 37.
Miss Fusun ESENOVA Kartaltepe Terakki Sokak Seker Evler No. 7/3, Bakirkoy Istanbul, Turkey	Member, Istanbul Local, Turkish Textile, Knitting, and Garment Workers' Union (Teksif). Turk-Is. Employed as a Laboratory Technician in a textile factory. Age 18.
Miss Necla OZEL Yeni Cesme, Nazir Perver Cad. No. 26 Eyup. Istanbul, Turkey	Shop Steward, Local Union, Turkish Textile, Knitting, and Garment Workers' Union, (Teksif), Turk-Is. Employed as a trade union administrator. Age 39.
Miss Muzaffer SOPUREL Emboy-Yuntas A.S. Aksu Cad. 38/1 Bakirkoy Istanbul, Turkey	Member, Local Union, Textile, Knitting, and Garment Workers' Union, (Teksif). Turk-Is. Age 25.
Miss Nurdogan VARAN Tekel Bira Fabrikasi Sicil Amirligi Ankara, Turkey	Member, Executive Board, Local Union Turkish Tobacco, Alcoholic Beverages, Food and Allied Workers' Union, Turk-Is. Employed as a secretary in an Ankara brewery. Age 36.
Miss Meral YUCELEN Hasircibasi Cad. Avar Apt. 13/1 Daire 6, Kadikoy Istanbul, Turkey	Shop steward, Istanbul local, Turkish Textile, Knitting, and Garment Workers' Union (Teksif) Turk-Is. Employed as a seamstress. Age 25.

Team Manager: Newman Hilliard
Interpreters: Tufan Kolan
Turhan Dikmen

ITINERARY

WASHINGTON, D.C. July 23 - July 31	Franklin Park Hotel 1332 I St., N.W. Telephone: DI 7-3125
KNOXVILLE, TENNESSEE July 31 - August 3	International Visitors Center Dinkler Farragut Hotel 530 S. Gay Street Telephone: 522-5161
ATLANTA, GEORGIA August 3 - August 6	Atlanta-Biltmore Hotel 817 W. Peachtree St. N.E. Telephone: TR 5-3461
ST. LOUIS, MISSOURI August 6 - August 12	Mayfair Hotel 806 St. Charles St. Telephone: CE 1-7500
LOUISVILLE, KENTUCKY August 12 - August 16	Kentucky Hotel Fifth and Walnut Streets Telephone: 587-1181
MONROE, MICHIGAN August 16 - August 20	Dahl House Motel 15390 S. Dixie Street Telephone: CH 2-3100
CHICAGO, ILLINOIS August 20 - August 22	Eastgate Hotel 162 E. Ontario Street Telephone: SU 7-3580
NIAGARA FALLS, NEW YORK August 22 - August 23	Red Coach Inn Main Street and Buffalo Avenue Telephone: 285-8431
NEW YORK, NEW YORK August 23 - August 29	Park Sheraton Hotel 7th Avenue at 56th Street Telephone: CI 7-8000
PHILADELPHIA, PENNSYLVANIA August 29 - August 30	Sheraton Hotel 1725 Kennedy Boulevard Telephone: 568-3300
WASHINGTON, D.C. August 30 - September 4	Franklin Park Hotel 1332 I St. N.W. Telephone: DI 7-3125

HEINZ RUHNAU
SENATOR

2 HAMBURG 1, JOHANNISWALL 4
RUF 24 82 58 00

Friend of Ben Segal
LEV arranged schedule
in visit to SFW or SRC?

Foreign Visitors

Mr.
Emory F. V i a
c/o University of Wisconsin
University Extension Division
432 North Lake Street
Madison/Wisconsin 53796 - USA

den 12. Dezember 1968

Dear Mister Via !

As in previous years we want to write to you at the turn of the year. And so as usual we will follow the old custom of sending Christmas Greetings.

It is a year now since we moved into our new house. Consequently because of the removal we were unable to dispatch our Christmas Greetings in time. But now we have settled down. There is still a lot to be done, but we all feel very comfortable in our house and fathers roses have already been in bloom.

Antje has been attending secondary school since Easter. She is making every effort to learn English and that is very hard sometimes.

Elke will celebrate her fifteenth birthday on December 19th. She is gradually becoming a young lady. She is a member of the school orchestra now and very proud of this.

Inge tolerates us with patience. So we all are very well. There is a new member of our house-hold, Felix, the tom-cat.

PAGINATION INCORRECT

He has whiskers like those of Mr. Whiskers at Mary Joe in Bouldes.

Now we look forward to a few quiet days during the Christmas season.

We spend our holidays this year at the Baltic sea. The weather was very nice. In June Inge and I were in Israel. It was a very impressive journey.

As in earlier years I would like to make some comments on the political events which have been taking place in my country.

For two years now our national government has been based on a great coalition of CDU and SPD. The first months of this coalition were not easy for the SPD. It turned out that all the voters who voted for the SPD earlier just out of protest are now refusing to vote for it. So we have lost some supporters, but we have gained some new. I am satisfied with the work of this government. It has solved some difficult problems. What would have happened, had we not had a social democratic Minister for Economic Affairs? The unemployment figures would probably have topped the million mark.

Economic stability was already restored at the end of last year. The boom started at the beginning of this year. Last year the gross national product did not grow. This year it will grow by about 6,5 %. There are four situations vacant for every one unemployed person. Wages will increase, pensions will be raised by 8 % during the next year. Our higher standard of living and social security have cut the ground from under radicalism a lot.

The unrest of the young generation has clearly decreased. At Easter the climax was reached. The attempt on student-leader Rudi Dutschke's life induced thousands of young people to demonstrate in the streets. These demonstrations disturbed many people. It was the first time that people were killed by stones thrown by demonstrators. The Police had to be called out to protect life and property.

The election results in Baden-Württemberg just after Easter indicated the reaction of the people. There was a remarkable swing to the right. Meanwhile the internal situation has become better. The start of peace-negotiations on Vietnam also had a positive influence. We hope that this terrible problem may soon be solved.

In September a new Communist Party was founded. It is called the German Communist Party (DKP) instead of the banned Communist Party of Germany (KPD). It has published a program which is seemingly within the terms of our constitution.

The NPD lost many voters in the last elections. I think that its popularity is on the decrease. At the moment a discussion is taking place as to whether an application should be made to the Supreme Court for the banning of the NPD.

Events in Czechoslowacia have also influenced Germany's political development. The proportion of armed forces has been changed. Today there are more soviet divisions on the borders of the Federal Republic than there were before August 21st.

Concerning our politics with the East one thing is quite clear now. Every degree of détente depends on Moscow. The Czechoslowacian events have shown us that all efforts for

bilateral détente are not very promising. It is Moscow which decides how far an east european country may be allowed to go in developing contacts with the West. The crisis also demonstrated how necessary Nato is for the defence of Western Europe. No country is able to defend itself.

Probably even the policy of détente in Germany will suffer from this latest crisis. We are still advocating the normalisation of relations between both parts of Germany. Over a year ago Mr. Kiesinger wrote a letter to the east german government. He suggested that secretaries of state should hold discussions. But to this day the letter has not been answered. We are still prepared to consider any talks anywhere if we see a chance to normalise and to better the lives of our people.

We cannot however recognize the other part of Germany as a foreign country. All Germans will have to decide democratically whether they want to be reunited or not. If one day the East German people freely decide that they do not wish reunification we will accept their decision. But no German Government can accept a situation which has been brought about by soviet bayonets. Bayonets are of course facts, but history has proved that they have a limited life-span.

This year has shown that the disturbers of peace sit in East Berlin. DDR troops took part in the occupation of the CSR. Moreover the East German Government was one of the main advocates of the occupation. Now as before there are pressures on Berlin and on the access routes. The most tragic result of the east german policy however is that 163 people were killed when trying to flee to the West.

In 1969 two important elections will take place. The Federal President will be elected. The SPD candidate is

Mr. Gustav Heinemann, at present Minister of Justice. Nobody knows how the electors will vote, but we hope that our candidate will be successfull. The general elections in October will lead to a discussion about the work of the social democratic ministers. I am convinced that the voters will recognize the success of our policies. Nevertheless next year will be one of great challenge and also I hope of much success.

So we say Good-bye for this year.

We wish you very Merry Christmas and a Happy New Year.

Yours sincerely

Heinz + Inge Rühmann

UNITED STATES INFORMATION AGENCY

WASHINGTON 20547

July 1, 1971

JUL 6 1971

Dear Emory:

Thank you for your help in taking care of our television team from Spain.

I regret very much that they screwed up your schedule by coming in late but they did tell me that they got a lot of information from you. They also got some very good sequences in Atlanta, as well as a fine interview with Martin Luther King, Sr.

You know how much I appreciate your assistance. Next time I ought to send you teams from Sweden. When they say they will be there at 10:00 a.m. they get there a half hour early and stand outside your office until the clock strikes ten!

Warm regards.

Sincerely,

Joe

Joseph Glazer
Labor and Urban Affairs
Advisor

Mr. Emory Via
Program Director
Southern Regional Council, Inc.
5 Forsythe Street, N. W.
Atlanta, Georgia 30303

MINISTERE
DE LA
FONCTION PUBLIQUE
ET DU TRAVAIL

LE DIRECTEUR DE CABINET

REPUBLIQUE DE HAUTE-VOLTA

Ouagadougou, le 31 Août 1971

Foreign Div

Cher Monsieur,

Me voici de retour parmi les miens, après vous avoir quittés bien à regret. J'ai passé quelques jours à PARIS, avant de rentrer chez moi et je pense bien souvent à cet agréable entretien que vous m'avez accordé. Grâce à vous, j'ai pu pénétrer et comprendre les principaux problèmes de votre grand pays et cette rencontre m'a été, vraiement, des plus profitables.

Soyez assurés, vous même et tous les gens charmants qui vous entourent, que je n'oublierai jamais ma visite aux Etats-Unis, bien trop courte à mon gré et dès que l'occasion s'en présentera, je m'empresserai de revenir auprès de vous.

En attendant cet heureux moment, permettez moi de vous adresser tous mes remerciements pour votre si aimable hospitalité et tous mes souhaits de bonne santé pour vous et tous les vôtres.

Recevez, Cher Monsieur, mon amical souvenir.

Demba DIALLO

SEP 13 1971

Mr. Emory F. VIA
Director Resources Development Center,
Southern Regional Council
5 Forsyth St.
N.W. ATLANTA
Georgia, 30303
U.S.A.

PAR AVION
BY AIR MAIL

Foreign Visitors (on Oct 21, 1971)

OCT 14 1971

MEMBERS OF EAST ASIAN PARLIAMENTARY GROUP

BIOGRAPHICAL INFORMATION

Mohamed GHAZALI bin Ismail - SINGAPORE

PRESENT POSITION: Parliamentary Secretary to the Minister for Education; Elected Member of Parliament. PAST POSITION: Journalist. ACADEMIC TRAINING: High School graduate, Raffles Institution, Singapore. ORGANIZATIONS: Member, People's Action Party. BORN: 1939 in Kuala Lumpur, Malaysia. ADDRESS: c/o Ministry of Education, Kay Siang Road, Singapore 10. TRAVELS: Attended United Nations as Deputy of the Singapore Mission (1966); United Kingdom; West Germany. DIETARY RESTRICTIONS: No pork.

Eric Sidney Fostyn HOLLAND - NEW ZEALAND

PRESENT POSITION: Government Member of Parliament for Riccarton (Christchurch); Chairman, Labor and Mining Select Committee; Member of Social Services and Statutes Revision Committee. PAST POSITIONS: Managing Director, McLaren Motors Ltd. (motor vehicles dealers); Trustee, Canterbury Trustee Savings Bank; past-President, Associated Trustee Savings Banks Association of New Zealand. ACADEMIC TRAINING: Qualified Accountant. BORN: 1921 in Christchurch, New Zealand. ADDRESS: P.O.B. 8100, Riccarton, Christchurch, New Zealand. TRAVELS: United Kingdom; World War II service in Pacific and Italy.

Paul John KEATING - AUSTRALIA

PRESENT POSITION: Federal Labor Party Member of Parliament for Seat of Blaxland, New South Wales. PAST POSITIONS: Research officer and industrial advocate, Federated Municipal and Shire Council Employees Union; State President, North Council, New South Wales Branch of the Australian Labor Party. ACADEMIC TRAINING: High School; one year Electrical Engineering study. BORN: 1944 in Paddington, N.S.W., Australia. ADDRESS: 8 Gerard Avenue, Condell Park, New South Wales, Australia.

Jose Paredes LEVISTE, Jr. - PHILIPPINES

PRESENT POSITION: Delegate, Constitutional Convention, 2nd District, Batangas; Chairman, Committee on Community Development. PAST POSITIONS: Faculty Member, Ateneo and De La Salle Graduate School of Business; Member, Bantangas Development Foundation. ACADEMIC TRAINING: Ateneo de Manila University (A.B. in Economics in 1965); Fordham University, New York (M.A. in Economics in 1967); Columbia University, New York (M.B.A. in 1968). ORGANIZATIONS: Philippine Constitutional Association; Manila Overseas Press Club. PUBLICATIONS: "National Unity and the CC" and "Views on the CC". BORN: 1945 in Pasay City, Philippines. TRAVELS: U.S.A., Europe, Thailand, Indonesia, Singapore.

(continued)

LIM Cho Hock - MALAYSIA

PRESENT POSITION: Member of Parliament from Perak; Member, Executive Committee of DAP; Legal Advisor to various associations. ORGANIZATIONS: Member, Society for the Prevention of Cruelty to Animals. ADDRESS: 17 Jalan Canning Estate, Canning Gardens, Ipoh, Malaysia.

NA Sok-Ho - KOREA

PRESENT POSITION: Member of National Assembly. PAST POSITIONS: Army Staff Judge Advocate; Judge, Seoul Higher Court. ACADEMIC TRAINING: B.A. in Law, College of Law, Seoul National University; Passed National Examination for high-ranking official in Administration and Jurisprudence. ORGANIZATIONS: Member of Korean Bar Association. BORN: 1934 in Kwangju, Cholla Namdo, Korea. ADDRESS: 1344-16, 3-ka, Kumho-dong, Sungdong-ku, Seoul, Korea.

Gordon SIAMA - BRITISH SOLOMON ISLANDS

PRESENT POSITION: Elected Member of North Western Solomons; Member, Executive Council for Social Services. PAST POSITION: Teacher; Boys Brigade Organizer for the Western Solomons and Bougainville. ACADEMIC TRAINING: Sasamungga School, Goldie College, Methodist Theological College in Auckland. BORN: 1937 in Nabusasa, Choiseue, British Solomon Islands. ADDRESS: c/o The Secretariat, Honiara, British Solomon Islands.

SOUVANH Sananikhom - LAOS

PRESENT POSITION: Congressman from Attopeu Province; Member of Standing Committee in National Assembly. PAST POSITIONS: Private Secretary to Minister of Interior; Member of Lao Delegation to United Nations General Assembly. ACADEMIC TRAINING: Study at Royal Institute of Law and Administration, Vientiane; Training in Public Administration as United States Specialist at the University of Pittsburgh; Study at Institute Des Hautes Etudes d'Outre-Mer in Paris. BORN: 1932 in Thakhek, Khamm-Ouane Province, Laos.

SUCHON Charmpoonod - THAILAND

PRESENT POSITION: Member of Parliament. PAST POSITIONS: Manager of a rice mill; Comprador of the Phitsanulok Branch of the Bangkok Bank; Member of Phitsanulok Municipal Council. BORN: 1937 in Pichpp Province. TRAVELS: Japan and Taiwan.

Colonel SUKARDI - INDONESIA

PRESENT POSITION: Member of Parliament; Colonel in the Army. PAST POSITIONS: Deputy Minister for Basic Industry and Mining. ACADEMIC TRAINING: Graduate of Army Command and Staff School, Bandung. BORN: 1920 in Lombok. ADDRESS: Djalan Tjut Nja Din # 9A, Djakarta, Indonesia. TRAVELS. South and Southeast Asia, the Middle East, and Europe. DIETARY RESTRICTIONS: No pork.

File
For Visitors
1972

SOUTHERN REGIONAL COUNCIL, INC.

M E M O R A N D U M

TO: Emory F. Via

DATE: 6.14.72

FROM: Gwen

COPIES: Jack Sissan Leaves Adgt

SUBJECT: J. W. Schulte-Nordholp

John Pecoul

Robert Tucker

J. W. Schulte-Nordholp
Groot Hoefyzerlaan 32a
Wassenaar
The Netherlands

Author of "People Who Walk In Darkness"
Has been writing on the Negro and Southern problems since 1961. Other articles and books by Nordholp have not been translated into English according to the National Union Catalog.

Council of Learned Societies
ACLS------Council on Leaders and Specialists
of The Experiment in International Living
Suite 600
818-18th Street, N.W.
Washington, D.C. 20006
(202) 298-7450

May 29, 1972

To the Directors
of the Southern Regional Council
5 Forsyth St., N.W.,
Atlanta, Ga. 30303
U.S.A.

JUN 2 1972

Dear Sirs,

Allow me to ask your attention for the following introduction and questions. I am a Dutch historian, professor of American history at Leiden University, since years interested in the South. In 1956 I wrote a history of the Negro in the US which was brought out by Ballantine Books in 1960 entitled The People that Walk in Darkness and since then I have worked on other publications, in Dutch, on the Negro and Southern problems.

This fall I hope again to visit America, with a grant from the ACLS and my plan is to spend some time in the South, especially in Louisiana, Mississippi and Alabama and Georgia. To make the most use of my travels I would very much

like to meet some people who are well known in the South and well versed in its problems. What I certainly would like to do is to come to your office and get a better idea of your work. But coming from the West it is easier for me to start my Southern journey in Louisiana and from there move eastwards. What I very much would like is to meet people like Aaron Henry and Fanny Hamer in Mississippi, that is, if possible. I don't want to intrude, my interest is genuine. Do you have an office in New Orleans where I could start?

As it looks now I shall be in Louisiana at the end of October and I have about a month or five weeks to spend, which is not too much but still could give me some impression of the deeper South, which I don't know. I have studied at Vanderbilt long long ago and followed some courses at Fisk, but I never saw the heart of the South.

I hope you will forgive me this letter - bold as it is, but if you can help me, please

let me know.

I shall leave my country on July 1st and visit the Far East, and from there arrive in the U.S. in September. So if you could help me, would it be possible to write back before July 1st. If you want information about this Dutch traveller, you could write to some of my American friends, like dr R Basler, head of the Reference Dep't of the Library of Congress or Prof John Hope Franklin of the Dep't of History of the Univ of Chicago.

I shall be grateful to hear from you

Yours sincerely

J W Schulte Nordholt

J. W. Schulte Nordholt
Groot Hoefijzerlaan 32a
Wassenaar
The Netherlands

SEP 18 1972

13 September, 1972

Mrs. Mary Jean McGrath,
Cooperative Education Specialist,
University Center for Cooperatives,
The University of Wisconsin,
Lowell Hall,
610 Langdon Street,
Madison,
Wisconsin 53706,
UNITED STATES OF AMERICA.

Dear Mrs. McGrath,

I am very grateful indeed for your long, detailed and extremely informative letter of 9 July, which has just reached me.

You went to a great deal of trouble to provide most useful information. Thank you once again.

Yours sincerely,

File

Dudley Horner
RESEARCH ASSISTANT.

CC. Mr. Emory F. Via,
Director, Resources Development Center,
Southern Regional Council, Inc.,
52 Fairlie Street, N.W.,
Atlanta,
Georgia 30303,
UNITED STATES OF AMERICA.

Dear Mr. Via,

Thank you very much indeed for the help you have given.

Yours sincerely,

Dudley Horner

Dudley Horner
RESEARCH ASSISTANT.

Foreign Visitors

Season's Greetings

Photographed at Macalester College, St. Paul, Minnesota

Seated: Michael Heney, *Ireland;* Magdalena Saldana, *Mexico;* Dick Z. Khumulike, *Malawi;* Yuki Ichi, *Japan;* Sudhir Thapliyal, *India.*
Standing: William Goff, *Australia;* Else Sander, *Denmark;* Cesar Ivancovich, *Argentina;* Ali Reza Farahmand, *Iran;* Paul Stierli, *Switzerland;* Sule Raji, *Ghana.*

Photo --- Rohn Engh

Blandre — / Loek

When you get a chance "and
under "Foreign Visitors / Mr Correspondent
see if you find Mr and Mrs
or a resume for E. Via / person Schuler-Nordhoff (?)
or from the Southern Regional Council
52 Fairlie St
Atlanta, Ga 30303
USA

aoed gescreven
vlug gelezen
vlot bezorgd

NEDERLAND
50C

{961-2231}

Dear Friends,

Our very best wishes for Christmas and New Year. We hope all is well with you. We remember with gratitude our stay at Atlanta.

Yours truly

Dimwerkje and Wim

Schuiten Noordhoor

ATLANTA COUNCIL FOR INTERNATIONAL VISITORS
615 PEACHTREE STREET, N. E.
ATLANTA, GEORGIA 30308
TELEPHONE 872-7367

ACIV

RC
Fgi
Return to
EV

To whomever is in charge of the Russians:
They will arrive at 9:30 AM for the interview, and must leave, on foot, to get to the Regency for a complimentary lunch at 11:30 sharp. (Ipromised the hotel that they would arrive on time.)

Thanks so much for this appointment as well as all the others you have so kindly done and will I hope continue to do.

Yours,
Rosalind Anderson

... a goodly number speak English

Foreign Visitors

Soviet Journalists Group

V.P. Polyanichko	1937	M	Journalist, Group Leader, Chelyabinsk
A.O. Melnichenko	1934	M	Editor of newspaper "Komsomolskoye Znamya" Second Group Leader, Kiev
Baibakov, S.N.	1945	M	Chemical Engineer, Moscow
Chumakov, S.V.	1930	M	Editor of magazine, "Yunyi Tekhnik", Moscow
Dragamir, V.V.	1939	M	Engineer/Mechanical, Moscow
Gryzlov, V.I.	1939	M	Engineer, Mechanical, Magadan
Ivanova, L.G.	1938	F	Editor of "Nedra" Publishing House, Moscow
Kukhianidze, Z.V.	1932	M	Writer, Kutaisi
Kuznetsov, V.P.	1936	M	Chief of Department "Molodaya Gvardiva" Publishing House, Moscow
Lebedyev, V.A.	1934	M	Assistant Editor-in-Chief "Yunost" Radio Station, Moscow
Loi, O.I.	1942	F	University Professor, Zaporozhye
Orazbekov, N.	1938	M	Journalist, Alma-Ata
Orlov, A.K.	1930	M	University Professor/Political Science Chelvabinsk
Parshin, L.A.	1940	M	Assistant Editor of newspaper "Smena", Leningrad
Pavlenko, V.Y.	1935	M	Correspondent of Radio Kiev
Pilgui, V.P.	1936	M	Journalist, Moscow
Podniyek, E.Z.	1934	F	Editor of newspaper "Narasyu Yaunaite", Riga
Polozova, I.P.	1938	F	Tour organizaer, Sputnik, Moscow
Semenova, G.V.	1937	F	Editor of magazine "Komsomolskaya Zhizn" Moscow
Soroka, N.A.	1935	M	Editor-in-Chief of magazine "Znaniya ta Prana" Kiev
Sosnina, T.N.	1937	F	University Professor/Political Sciences
Starostina, E.A.	1942	F	Director of Sputnik Office in Kemerovo

Tsivsivadze, M.L.	1945	F	University Professor / English, Tbilisi
Udalitsov, A.P.	1936	M	Editor of newspaper "Moskovsky Komsomolets", Moscow
Vokalchuk, S.M.	1937	F	Philologist, Petropavlovsk-Kamachtsky
Zakhoroshko, I.P.		M	Editor, Molodaja Gardya Publishing House Moscow

and 3 Escort Interpreters.

file → Foreign Visitors 12/17 & 18/68

Hector Blumetti telph. 72-3588

Malabia 3026 VII - B

Buenos Aires ARGENTINA

Argentine Journalist - 2 hours
very appreciative - took much info -
not too keen about present regime

John Pecoul
Office of the Community Relations Commission
City Hall
Room 1205
New Orleans, Louisiana 70112
(504) 529-4311

Mrs. Orepha C. Haley
Program Director
Urban League of Greater New Orleans
1821 Orleans Avenue
New Orleans, Louisiana 70116
(504) 821-6125

Clarence Barney, Executive Director
Urban League of Greater New Orleans
1821 Orleans Avenue
New Orleans, Louisiana 70116
(504) 821-6125

Mr. Robert Tucker
Office of the Mayor
City Hall
New Orleans, Louisiana 70112
(504) 522-6191

Protest march of grape pickers lasted 25 days, wound through California vineyards to Sacramento. Attention it got led up to triple breakthrough for union.

Farm union reaps first California victory

Its recognition in Schenley and Christian Brothers vineyards and election offer by DiGiorgio Corp. give organized labor an entry on farms—though so far it's only a toehold

California's $3.5-billion agriculture industry watched with stunned apprehension this week as organized labor prepared to harvest the first fruit of its long but heretofore unsuccessful drive to bring trade unionism to the farm.

Not since Congress in 1935 specifically excluded agricultural workers from the protection of the Wagner Act had labor tasted the kind of triumph that burst upon the California scene last week in two stages:

(1) In Los Angeles, Schenley Industries, Inc., which owns the Roma and Cresta Blanca wineries, yielded to boycott pressure and agreed to recognize the unaffiliated National Farm Workers Assn. (NFWA) as sole collective bargaining agent for 450 vineyard employees.

(2) In San Francisco, DiGiorgio Corp., a giant among corporate farmers, proposed state-supervised elections to determine which, if any, union would represent its 1,163 employees on four California farms. President Robert DiGiorgio backed up the proposal with a pledge to bargain in good faith with any union that polls a majority.

The Christian Brothers of California kept the pot fermenting this week by volunteering, in the interest of "social justice . . . for our California agricultural workers," to recognize NFWA as bargaining agent. Brother U. Gregory, president of Mont La Salle Vineyards, also revealed that the religious order had proposed to other vintners last February "that an employer group be formed to bring collective bargaining to vineyard workers," but said the proposal was rejected. Christian Brothers employs 25 in its two vineyards.

Bigger than it looks. The low employment figures listed for the three groups cast a deceptive light on the possible impact of these developments. At the peak season the companies employ many more workers.

Average employment on California farms last year, for all seasons, ran to 305,110, according to the State Dept. of Industrial Relations. Among these, 91,000 were farm owners and their families, 92,000 were hired annual workers, and 119,000 were hired seasonal workers.

On the national scene, farm employment is 3,780,000, according to the U. S. Bureau of Labor Statistics.

In winning the Schenley and Christian Brothers recognition and eliciting DiGiorgio's voluntary tender of the olive branch, labor has barely dipped a toe into this vast manpower pool. And the NFWA, a grass-roots outfit composed mainly of Mexican-Americans, could still fall flat, as its predecessors have in the past 20 years.

But, to labor, the Schenley and DiGiorgio developments came as an encouraging break in farm organizing. William L. Kircher, AFL-CIO organizing director, was in California and helped arrange the Schenley deal, supporting the independent NFWA. An aide in Washington said: "Our guys are going to move in behind the break. This may give us the impetus to crack open the whole farm worker field. But we're still going to have to fight like hell to do it."

Colorful march. The Schenley and DiGiorgio developments occurred last week as a scant handful of the Mexican-Americans, borrowing a page from the notebook of civil rights demonstrators, trudged dusty back roads of the San Joaquin Valley in the final stages of a 25-day march on the state capital in Sacramento.

In rural town after rural town, sympathizers fell in behind the colorful banners of the marchers to walk with them for a few miles and to offer them the hospitality of their homes. It was an orderly, well-organized pilgrimage to the seat of government, appealing for help in a struggle for recognition and higher wages. Instead of the prevailing $1.20-an-hour for picking grapes, NFWA wants $1.40 plus an incentive rate of 25¢ a box.

Wide backing. Unlike earlier attempts to arouse California farm laborers, this one has succeeded in avoiding accusations of Communist infiltration.

Clergymen of many religious persuasions have bestowed a benign smile on the little union's efforts to prosecute a strike against some 30 vineyards in Kern and Tulare Counties at the southern tip of the valley. California's eight Roman Catholic bishops collaborated last month in a formal appeal to a Senate subcommittee probing the farm labor problem. They asked for amendment of the federal labor code to extend

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NEW YORK – William C. James, Jr., Manager, Kentucky Dept. of Commerce, 45 Rockefeller Plaza, Room 3563. 10020. Phone 212 581-9459.

CHICAGO – E. Leo Koester, Kentucky Department of Commerce, 20 N. Wacker Drive, Civic Opera Bldg. 60606. Phone 312 236-8773.

LOS ANGELES – Philip Stukin, Mgr., Kentucky Department of Commerce, 615 South Flower Street, Suite 500. 90017. Phone 213 624-8665.

COME TO KENTUCKY
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to farmers and their employees all the rights accorded workers in other industries.

Responsible in no small part for this tactical advantage is a dynamic 39-year-old former migrant farm worker with the colorful name of Cesar Estrada Chavez, who pulled the NFWA together in 1962 as a social service organization. Chavez, according to his biographer, gives his members not only a trade union but also an insurance plan, a credit union, and a retail co-op. With Latin fervor they idolize their "Cesar."

Chavez has survived the scrutiny of the clergy as well, and priests from the East who have visited California to inspect this phenomenon of the soil have been quoted in the Catholic press in laudatory phrases rarely accorded a layman.

Line-up. The NFWA is not the only union in the field. In 1959 AFL-CIO set up the Agricultural Workers Organizing Committee (AWOC) in Stockton, Calif., but gave it little financial muscle. How it survived against grower antipathy, worker resistance, and AFL-CIO lukewarmness is a mystery.

Still a third union has hoisted its banner—the Tulare-Kern Counties Independent Farm Workers Union (IFWU). DiGiorgio Corp. addressed its election proposal to all three. By midweek it had received responses from none, although Chavez fulminated to the press that the proposal was hemmed in by "unacceptable preconditions" and a spokesman branded the IFWU a "company union."

Chavez launched his strike of grape pickers last September in sympathy with an AWOC walkout of farm workers in the Delano area of Kern County. Although the harvest and pruning seasons are long past, the strike—"huelga" in the mother tongue—is still in force. The march to Sacramento was intended to dramatize the fact and bring public and governmental pressure on the growers to yield recognition.

Climax. On the steps of the Capitol last Sunday afternoon, Chavez lifted his face to the light sprinkle of rain that greeted his triumphal completion of the 300-mile "peregrinacion" and beamed at the roar of "Viva Cesar" and "Viva huelga" that rose from an emotional throng of several thousand gathered on the steps. Around him were the 30 or so who had made the full trek.

There was no question about the militancy of this Easter audience, but also no way of judging how many were farm laborers and how many were sympathizers from other unions in Northern California.

Chavez proclaimed the end of the boycott against Schenley (which then set up the beer and tequila for the fiesta that followed a religious ceremony at a local Catholic Church). But he hurled defiance at DiGiorgio with a call for boycott of the company's S&W and Tree-Sweet food products. (DiGiorgio's wines are sold by the tank car to private label bottlers.)

Shortfall. Two unrelated events conspired to deny Chavez the full measure of his triumph, but he gave no sign that it was less than total. One was DiGiorgio's conciliatory proposal, which let some steam out of the dramatic march three days before its climactic arrival in the capital. In effect, DiGiorgio offered more than the union asked for—provided the union could win a bargaining agency election.

The other event cast doubt on Chavez' tactical flexibility. He had demanded that Governor Edmund G. Brown be on hand to hear the marchers' grievances when they arrived in Sacramento. Brown, though he is running for reelection and is publicly on record in support of the grape pickers, refused to give up an earlier commitment to spend Easter with his family in Palm Springs 350 miles away. The governor offered to meet the marchers on Saturday, when they were camped across the Sacramento River 10 miles from the capital, or on the following Monday.

Chavez' insistence on a Sunday confrontation won the admiration of his followers—their chant of "We want Brown" reverberated against the portico of the empty Capitol—but it gained little yardage with others. Even Brown's political foes resented the issuance of an ultimatum to the friendly governor of the biggest state.

Questions. Whether Chavez is the man of destiny his given name suggests remains to be seen. Schenley's capitulation to him instead of to AWOC, but in the presence of AFL-CIO officials and a special representative of Teamster President James Hoffa, was unexplained. It gave rise to rumors that Chavez plans an alliance with AFL-CIO.

Although not now affiliated with AFL-CIO, his union has one powerful friend, Walter Reuther, in the federation's hierarchy. Reuther visited the vineyard pickets in Delano last December and pledged $5,000 a month of United Auto Workers funds to the cause. Should Chavez succeed on a grand scale, he and his members would be welcome allies for Reuther in the rivalry of his Industrial Union Dept. with the craft unionists of the AFL-CIO. **End**

Thirty states are using tax-exempt bonds to lure industry; they call it "development," labor calls it "piracy."

LABOR

On the trail of runaway plants

AFL-CIO bounces back from its Taft-Hartley 14(b) defeat with new attack on 'right to work' states. Target is federal tax-exemption on bonds used to lure industry

Labor leaders who failed in a legislative campaign against Taft-Hartley Sec. 14(b), which allows states to bar union-shop contracts, have opened a new attack on many of the "right to work" states. The objective is a change in federal tax policies that help states woo new industry.

Federal laws grant state and local governments the right to issue tax-exempt bonds. This legislation was designed to ease the way for financing public facilities—schools, hospitals, roads, and the like. Securities could be sold at a low interest rate.

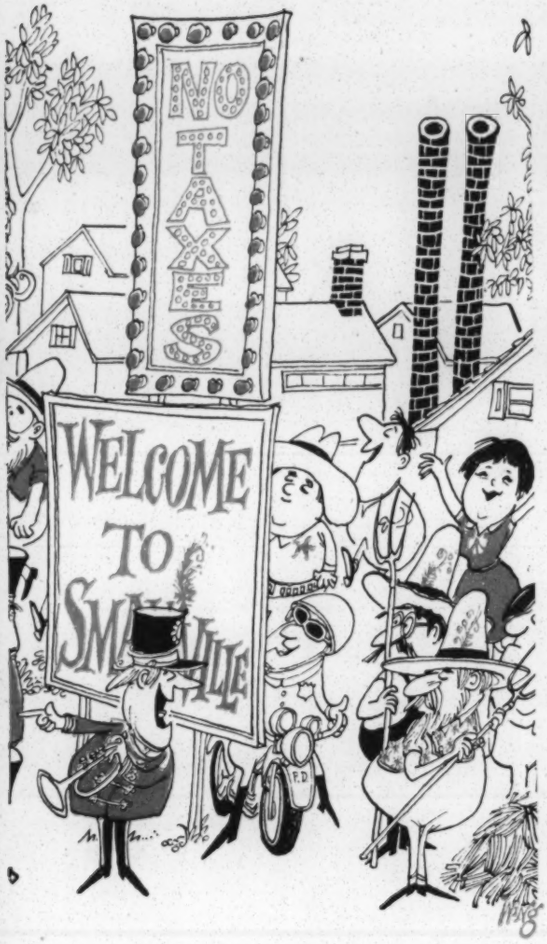
Rush for bargains. But in recent years state and local governments and their development commissions have used the tax-exempt securities in their competition for new industry. Bond money has been used to construct industrial or commercial facilities for sale or lease to private concerns. And companies in their rush for cheaper money, have taken advantage of the offered opportunities; industrial development bond totals are soaring.

What bothers the AFL-CIO and its affiliates is this: There are laws against compulsory unionism, under T-H Sec. 14(b), in 19 states; for years, union growth has been inhibited in these states—they are among the most sparsely unionized in the nation; and, so far this year, the same states are at the top of the list of those that have raised money for industrial development by tax-exempt security sales.

To AFL-CIO, this is "subsidized plant migration," with "all American taxpayers underwriting the subsidy . . . a perversion of the intent of the tax-free bond privilege."

Although the federation's worries are particularly about the use of tax-exempt bonds by the so-called "right to work" states, some 30 states are now using the financial practice.

Controls sought. AFL-CIO wants Congress to impose tighter controls



over tax-exempt bonds. It doesn't want to bar "legitimate" use of such bonds, it says, but it does want restrictions to keep industry from reaping financial rewards possible by shifting plant sites to areas that use "cheap money" from tax-exempt bonds as a lure.

Labor's lobbyists are at work on this on Capitol Hill now. They are urging legislation this session. They see more possibilities of action in 1967, when curbs on tax-exempt bonds will be a prime labor legislative objective. More will be heard of it, probably, than of repeal of 14(b).

AFL-CIO's drive to eliminate the "right to work" clause from the federal law is by no means dead, but it's on a back burner and likely to stay there in 1967.

Few will say so publicly, but many labor leaders believe that—from a practical standpoint—legislation curbing tax-exempt bonds might help unions more, immediately, than repeal of 14(b). Eliminating the "right to work" clause would help psychologically, but slowing shifts to little-unionized, lower-wage areas would stabilize jobs.

'Piracy' assailed. Recently, I. W. Abel, president of the United Steelworkers, told the National Governors' Conference in California that "plant piracy" through tax-exempt bonds has been a major factor in the loss of 60,000 steelworkers jobs in the last three years [BW Jul.16'66, p50].

Abel added: "The files of the AFL-CIO provide additional proof that hundreds of thousands have been victimized by plant piracy spurred by sweatshop wages, substandard state labor and welfare laws, and the inducement of governmentally subsidized industrial bond financing." "Labor," the Steelworkers' chief said, "is determined to fight such practices, and we must win."

Abel was a spokesman for the AFL-CIO on the points raised about industrial development bonds; much of his material came from a detailed—and worried—study made for the federation by Frank L. Fernbach, its assistant research director.

I. Unlikely alliance

AFL-CIO fought for 14(b) repeal more or less in isolation, but the federation isn't alone in its campaign to remove the tax relief granted industry through industrial bond financing. It is in alliance with such unlikely partners as the Investment Bankers Assn. The Treasury Dept. is preparing its own support for a legislated end to the practice, a technique that Secretary Henry H. Fowler has predicted will eventually become self-defeating.

Congress is considering a spate of bills that seek to restrict the practice of granting tax relief to corporations. Among the pending measures is one offered by Representative Henry S. Reuss (D-Wis.) that would prohibit a company from deducting as a tax liability rent or other payments for facilities financed by industrial bonds. Another would remove the tax exemption on industrial or commercial facilities but would continue it for bonds sold to finance urban renewal or other public projects.

In joining the fight, AFL-CIO lobbyists add labor's legislative weight to a campaign that is expected to advance rapidly and that could bring action next year.

Motives vary. While the proponents share the same goals, their reasons aren't necessarily alike. The AFL-CIO attack is aimed particularly at Southern communities that have used bond financing to attract unionized plants from the North with offers of low-cost facilities that could be manned by low-wage, nonunion workers.

Labor has fought "runaway-shop" lures for many years, but its emphasis has been on 14(b) repeal to eliminate the appeal of nonunion wage differentials. But 12 years ago, before the AFL-CIO merger, AFL alone made an extensive study of "subsidized industrial plant migration" at a time when only eight states, mostly in the South, were using the tax-free bond to lure new industry.

At that time, AFL said, "Another measure widely used to attract industry into an area is the issuance of municipal bonds to build factories, which are then leased at low rates to companies induced to locate in the community. The advantages to such a company are obvious; its funds are not tied up in capital expenditures and it gains plant facilities at a limited cost. In addition, the municipally owned plants are exempt from local property taxes, and those companies taking advantage of these plants thus receive an indirect tax exemption."

Rejuvenated drive. While labor had long complained of the industrial-bond practice, it only now sees a good prospect of legislative action. This prospect has resulted in the revived and rejuvenated campaign and given the AFL-CIO a chance to salvage something from its abortive drive for 14(b) repeal.

The new impetus stems in part from the spread of the practice from eight to 30 states, but even more from the recent rapid growth of tax-exempt bond financing to attract industry. In 1965, this amounted to $213.5-million, while in the first four months of this year the total jumped to $227.8-million. Abel predicted the total would be between $500-million and $1-billion for all of 1966 if the present rate continues.

No longer are the Southern states the only ones in the field. They have been joined by Northern industrial states and cities that feel the competitive need to attract industry. Ohio and Delaware are already on the list, along with Iowa and Kansas.

According to Representative Reuss, "Altogether, some 38 states have prepared or are preparing to use tax-exemption privileges for industrial purposes, and the stage is set for an escalation of unfair competition to nationwide industrial warfare."

Appeal to South. The obvious result, supporters of legislative curbs are quick to note, is that the advantage of industrial-bond financing is being lost by the Southern states that started the program. This, it is believed, should help to win the

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support of regional Congressmen who have resisted such legislation in the past.

One obvious target of such an appeal is Representative Wilbur D. Mills (D-Ark.), influential chairman of the House Ways & Means Committee. His panel would handle the legislation. Mills' own state has been highly active in such bond financing in the past. But, says one labor official, "Once he sees that everybody's doing it, he may well decide this is the time to act."

Most of the stepped-up industrial-bond financing, AFL-CIO officials agree, is not directed at plant pirating, as such, but at building and expanding facilities. The tax advantages are going to companies building in their own areas.

Prospect of struggle. Still, Reuss predicts that "plant pirating, uneconomic location, and job shifts will accelerate. Not only will the Northern states battle the hitherto advantaged states of the South, but the struggle between the great industrial cities and, indeed, between a city and smaller communities in the same state will intensify."

II. Another approach

While the "runaway plant" is the target of labor's support in the effort to restrict industrial-bond financing, AFL-CIO is attacking such plant movements in other ways. Another legislative approach is aimed at denying use of federal funds to retrain workers in plants that have shifted from one locality to another.

One campaign is being led by Local 1102 of the International Union of Electrical Workers, which fought to block a proposed $91,000 federal retraining program for employees of Western Electric Co. at Mount Pleasant, Iowa. Local officials accused the company of shifting 254 jobs from the company's St. Louis plant, where Local 1102 represents workers.

Plea rejected. In an appeal to Labor Secretary W. Willard Wirtz, the local urged that training funds be withheld under the "anti-pirating" clause of the Manpower Development & Training Act. However, Wirtz denied the appeal on the ground that the shift did not result in job losses at the original site, as required for an affirmative finding.

The local contended that the additional jobs were "totally nonrelated" employment. With AFL-CIO support, it is seeking a change in the "loose language" of the anti-pirating section of the Manpower Act that would bar manpower training funds at relocated plants. **End**

Grape Boycott

Second-Class Citizens:

Big Gap in Labor Law Denies Protection to Farm Workers

The following is excerpted from an address by William L. Kircher, AFL-CIO director of organization, to the Washington chapter of the Industrial Relations Research Association.

THE FARM WORKER knows, as all the poor have known, that to move forward calls for joint action with his fellow workers—and that means organizing; and organizing—for workers—means unionism and collective bargaining.

The first obstacle he faces is the fact that the coverage of the federal law which covers millions of other workers and has for over 30 years—is denied him.

Mind you, farm workers are not denied the right to have unions and engage in collective bargaining. They are merely denied the protection and procedural assistance of federal law, as enjoyed by other citizens, in their efforts to attain them and, once established, no protection. This means that there are no labor-management restrictions upon their employers in their actions resisting the farm workers' organizing efforts. Union recognition and bargaining, therefore, must occur through the voluntary willingness of the employer.

Employers have traditionally shown themselves willing to voluntarily recognize unions when (1) they have the major say in the kind of union it is, or (2) alternatives to recognition are made more distasteful and/or economically dangerous than recognizing and bargaining with the union.

It is clear, therefore, that the farm worker is faced with building a "company union" or resorting to strikes and boycotts. Thus, the legislative situation inflicts upon the farm worker the procedures of striking and boycotting as his only method of building an honorable union.

The unfairness of this is magnified by the fact that built into the system are two factors which make successful strikes extremely unlikely. One is only indirectly related to a bad national policy but the other, and more important one, is a direct result of our immigration policy.

The first has to do with the impact of general hostile local, state and municipal courts which are able, without a federal law, to take immediate jurisdiction of any matter in the labor-management relations purview which comes before them. Because this is farm labor, such matter

Such injunctions have even taken the union loudspeakers away so that a lonely picket could not even call for help effectively, let alone communicate with the workers in the field.

But an even more critical detriment to effective strikes is the U.S. immigration policy which permits (almost encourages) an endless supply of "scabs" and "strikebreakers" from the other side of the border to any U.S. farms within 350 miles of that border.

How does it happen? Easy! The visa which an alien gets in order to enter this country, and which carries with it his pledge to become a U.S. citizen, is treated like a "work permit" at every entry point on the Mexican border. Visa holders, referred to as "green carders" because of the color of the visa card, commute back and forth across the border without anyone ever questioning the relationship of their pledge to seek citizenship with their commuter habits. It is estimated that in certain seasons the daily commuters are as high as 60,000 per day.

It must also be pointed out that these loose practices are precisely what is responsible for much of the great population growth in the northern cities of Mexico, which has been substantial. The extreme depths of economic disadvantage suffered by the Mexican in native employment usually makes even the lowest-paid U.S. employment very attractive to him.

After three painful years of striking against all of these built-in government instigated obstacles which weigh the scales so heavily against the farm workers' chances, the farm workers union has realized that without some kind of meaningful effort on the part of the U.S. Government to give them an element of "fair play" balance in their struggle to organize, the strike has, at least, only a contributory role to play in the organizational process.

All of this leads to the last piece of machinery which the worker can hope will help him get from his present position of abject unorganized weakness to a position of some organizational form upon which he can begin to build the collective bargaining procedures for self-help and economic progress which have been available to other American citizens for so long. That machinery is the

By Press Associates, Inc.

THERE WERE A NUMBER of things about the recent election that ought to serve as a warning to the American people that all is not well in the presidential election machinery.

- There was the panicky uncertainty for far too long that the election might be thrown into the House with all the political chicanery that such a calamity might well have entailed.
- There was also the obvious failure of the Electoral College vote—302 for Nixon and 191 for Humphrey—to reflect the exceedingly narrow margin, a bare 300,000 votes out of 72 million, by which Pres.-Elect Nixon won.
- And there was a lot of worry that neither Nixon nor Vice-Pres. Humphrey might attain the needed Electoral College majority and that George Wallace might seek to bargain with the 45 Electoral College votes that were his.

Undoubtedly efforts will be made in the forthcoming 91st Congress to change the current system.

Some reformers would tamper just a little bit with the Electoral College by binding the electors to vote for the ticket on which they run. They are not so obligated legally.

Others would go a step farther and divide a state's Electoral College vote on the proportion of the state's vote that each candidate gets instead of the all or nothing system that now prevails.

Finally, there are those who would do away with the whole Electoral College business and elect future Presidents by a national popular vote.

How far any of these proposals will get in the next Congress is open to question. All of them would require constitutional amendments and Congress is traditionally loath to enter the constitutional thicket.

BUT THERE WAS one failure of the election about which all Americans can do something without waiting for Congress to act—that is the dismal failure of too many Americans not to vote at all.

On the basis of virtually complete returns only 60 percent of the eligible voters in the country voted—the lowest percentage since 1956.

An Associated Press analysis of the national total shows that only about 72 million Americans out of 120 million of voting age went to the polls and registered their political choice in an election that held vital importance for all of the 120 million and their children.

There were some unusual aspects to the 1968 statistics. The Southern states—largely because of heavy Negro registrations and white "backlash" votes—produced bigger turnouts than usual. Some of the big states didn't do too well at all.

California grew by almost a million during the past four years,

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The unfairness of this is magnified by the fact that built into the system are two factors which make successful strikes extremely unlikely. One is only indirectly related to a bad national policy but the other, and more important one, is a direct result of our immigration policy.

The first has to do with the impact of general hostile local, state and municipal courts which are able, without a federal law, to take immediate jurisdiction of any matter in the labor-management relations purview which comes before them. Because this is farm labor, such matters will occur in the agricultural or rural areas. The courts and the judges there are part and parcel of the agriculture-dominated "power structure."

THE FARM WORKER expects little justice under such circumstances, and that's about what he gets. So a strike which starts among 10,000 acres of grapes today is likely to find itself enjoined against any kind of effective picketing tomorrow, including the limitation and placement of pickets on a one-per-gate ratio in such a way as to separate and isolate them completely from their fellow workers and thereby expose them to the brutal violence of the company supervision and hired goons.

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All of this leads to the last piece of machinery which the worker can hope will help him get from his present position of abject unorganized weakness to a position of some organizational form upon which he can begin to build the collective bargaining procedures for self-help and economic progress which have been available to other American citizens for so long. That machinery is the consumer boycott.

Today a national boycott against nearly all California table grapes is the major organizational machinery of the farm workers' union.

The farm workers union is established and it is here to stay. It's leadership is dedicated to its furtherance, whatever the personal sacrifice.

The labor movement of this nation—all segments of it—is united on this. Of all the things you can find about which the various elements within the house of labor can, from time to time disagree about—one thing upon which there is complete and total unanimity today is the importance of the farm workers succeeding in their effort to build their union.

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There were some unusual aspects to the 1968 statistics. The Southern states—largely because of heavy Negro registrations and white "backlash" votes—produced bigger turnouts than usual. Some of the big states didn't do too well at all.

California grew by almost a million during the past four years, yet only about 30,000 more votes were cast in 1968 than in 1964. Illinois cast 172,000 less votes in 1968 than in 1964 although it had grown by almost 200,000 during the same period. Ohio produced 23,000 less votes in 1968 than in 1964 although it had grown by 235,000 in the interval. New Jersey, which grew by 264,000 between 1964 and 1968 could produce only an extra 6,000 votes in 1968.

These were all states that Vice Pres. Humphrey lost by narrow margins and a few more votes—even that famous one extra vote per precinct—might have made a difference in the outcome.

The importance of a big voter turnout has never been lost on labor—which, perhaps, more than any other group in the country has devoted time, money and effort to persuade voters to register and vote.

It is clear, however, that labor needs to be joined by other civic minded organizations in the country in the campaign to impress upon voters the importance of registering and voting.

This is at least one job Americans can do for themselves without waiting for the Constitution to be changed.

Question of Human Dignity:

Grape Pickers in Semi-Slavery, Woman Strike Leader Reports

A **MOTHER OF SEVEN** children, who is a union official, charged that California grape growers hold workers in "semi-slavery."

Vowing that workers will fight "on and on" to build their union, Delores Huerta, vice president of the AFL-CIO United Farm Workers Organizing Committee declared, "It is not just a question of wages."

"It is a question of human dignity, of equality," she asserted, on the network interview, Labor News Conference, broadcast Tuesdays at 7:45 p.m., EST, on Mutual Radio.

Mrs. Huerta pointed out that "most of the field workers are Mexican-American, Filipino, Negro and Puerto Rican." The growers, she said, "try to get the idea over that workers are sub-human . . . play one race against the other . . . and actually perpetrate racial prejudice."

She noted that farm workers are denied the rights and protections other workers have under the National Labor Relations Act. They are "absolutely powerless . . . have no control over their conditions . . . no job security," she said.

"If a worker tries to find out who he is working for . . . or what his wages are going to be for the next day, he is fired," she said.

"SO MUCH VIOLENCE (was) perpetrated against our strikers and our pickets" that the union was forced to launch the nationwide boycott against table grapes, as the "safest weapon we have," she explained. Telling effects of the boycott on the table grape market, she said, are evident in shipments "far below normal" and prices substantially lower than last year.

She urged union members and others who are sympathetic to the farm workers to provide "visible, physical support" and financial contributions. "Sympathy alone," she said, "just isn't going to make it."

Reporters questioning Mrs. Huerta on the AFL-CIO produced public affairs program were Stanley Levey of Scripps-Howard Newspapers and Alex Uhl, of Press Associates, Inc.

"HUMAN DIGNITY and equality"—not just wages—are the aims of farm workers in building their union, Vice Pres. Delores Huerta of the United Farm Workers Organizing Committee told reporters Stanley Levey of Scripps-Howard Newspapers, left, and Alexander Uhl of Press Associates, Inc., on Labor News Conference. The interview is broadcast Tuesdays at 7:35 p.m., EST, on Mutual Radio.

12/20/68 Teamster Grape Strike
Missouri

Violent Anti-Union Drive Pushed on Grape Growers

By RUTH STACK

WASHINGTON (PAI) — It's do or die for the nation's farm corporations on the union organization front. They're pulling together a powerful coalition of conservative forces to counter the organized labor's effective boycott of California table grapes.

But while the growers aim their propaganda barrage at the grape strikers, their focus is on America's other big crops and the spectre of organization of all farm workers.

The American Farm Bureau Federation is the latest big gun to fire on the grape strikers. Delegates to the recent Farm Bureau convention sat at tables munching California grapes while Jose Mendoza, the growers' handpicked "farm worker" warned that if union efforts were successful in the grape strike they could spread to other products throughout the nation.

Mendoza who is really a labor contractor in the San Joaquin Valley says he, not Cesar Chavez, speaks for the farm workers of California. Mendoza is director of the Agricultural Workers Freedom to Work Association — a company "union" — and is on the payroll of the National Right to Work Committee.

The head of the Farm Bureau, Charles B. Schuman, expressed his concern over the boycott by urging delegates to stop patronizing the Jewel Co. stores in Chicago because they refused to handle the struck grapes.

The Farm Bureau's concern is echoed by the John Birch Society. They recently frightened readers of **American Opinion** by saying the UFWOC would unite "American agricultural workers in a single union under the control of revolutionary leaders — known Marxists and identified Communists. The goal, simply put, is control of America's for farm workers and California Gov. Ronald Reagan allowed as he might consider a vote sometime under certain conditions.

For years the nation's wealthiest farmers and corporate farms have reaped the benefit of U.S. farm policies. The Department of Agriculture has conducted research and discovered techniques that have revolutionized farming. Any citizen can make use of the special harvesting equipment, new seeds, new fertilizer, and new insecticides developed by USDA, but it's the biggest farmers that get the most benefit.

USDA inventions and other mechanization have made the big growers also less dependent on the field workers. Labor leaders have warned that a serious new social crisis will develop as tens of thousands of Mexican-American and Negro farm workers are left totally unemployed and rootless in the near future.

The farm workers are turning to the union. The United Farm Workers Organizing Committee has the support of the entire labor movement. The grape strike is one of its efforts, a strike by Texas farm workers is another. AFL-CIO organizers reported a dramatic response to organizing efforts among Florida migrant workers.

Some Louisiana sugar beet workers are organized in the Amalgamated Meat Cutters. Cannery workers, closely related to workers on the field, are organized by the Meat Cutters, the Teamsters and other labor groups.

Union Emblems On All Trees

By Joseph Lewis

In that last-minute rush of shopping for gifts, baking cookies and cakes, wrapping gifts and trimming the tree, trade unionists are reminded

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The growers' worry that they may have to share the wealth with farm workers is not an idle one. There was a strong movement in the last Congress to give farm workers the right to organize under the National Labor Relations Act.

During the last election campaign President-elect Nixon made an attack on the grape boycott that could backfire. He told farm workers to vote for a union, if they wanted one, instead of boycotting. Nixon apparently forgot farm workers are not covered by the National Labor Relations Act and that mistake could haunt him for the next four years.

There's even been a break among the grape growers. One West Coast grower said he'd be for organizing rights the entire labor movement. The grape strike is one of its efforts, a strike by Texas farm workers is another. AFL-CIO organizers reported a dramatic response to organizing efforts among Florida migrant workers.

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Union Emblems On All Trees

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In that last-minute rush of shopping for gifts, baking cookies and cakes, wrapping gifts and trimming the tree, trade unionists are reminded of those special symbols that should be an important part of their holiday season.

These are the emblems of the products and services of union men and women — union labels that identify quality goods made under quality conditions. When shoppers give top priority to the union label they add millions of fellow workers to their Christmas list. Buying with an eye on the label gives these union members the gift of added buying power and job security.

Gift-buying is only the symbol of loving and giving that makes Christmas such a favorite holiday. Store windows gleam with tinsel and toys; candy and candles are on our tables and sidewalk Santas ring their bells. Lighted trees and shining stars beam out a message of joy — all symbolic of our festive spirit.

Don't diminish your gift. Your present can give more than once. Put the label under your Christmas tree and give as much happiness to the one who made the gift, as the one who receives it.

Grape Strike

WASHINGTON REPORT

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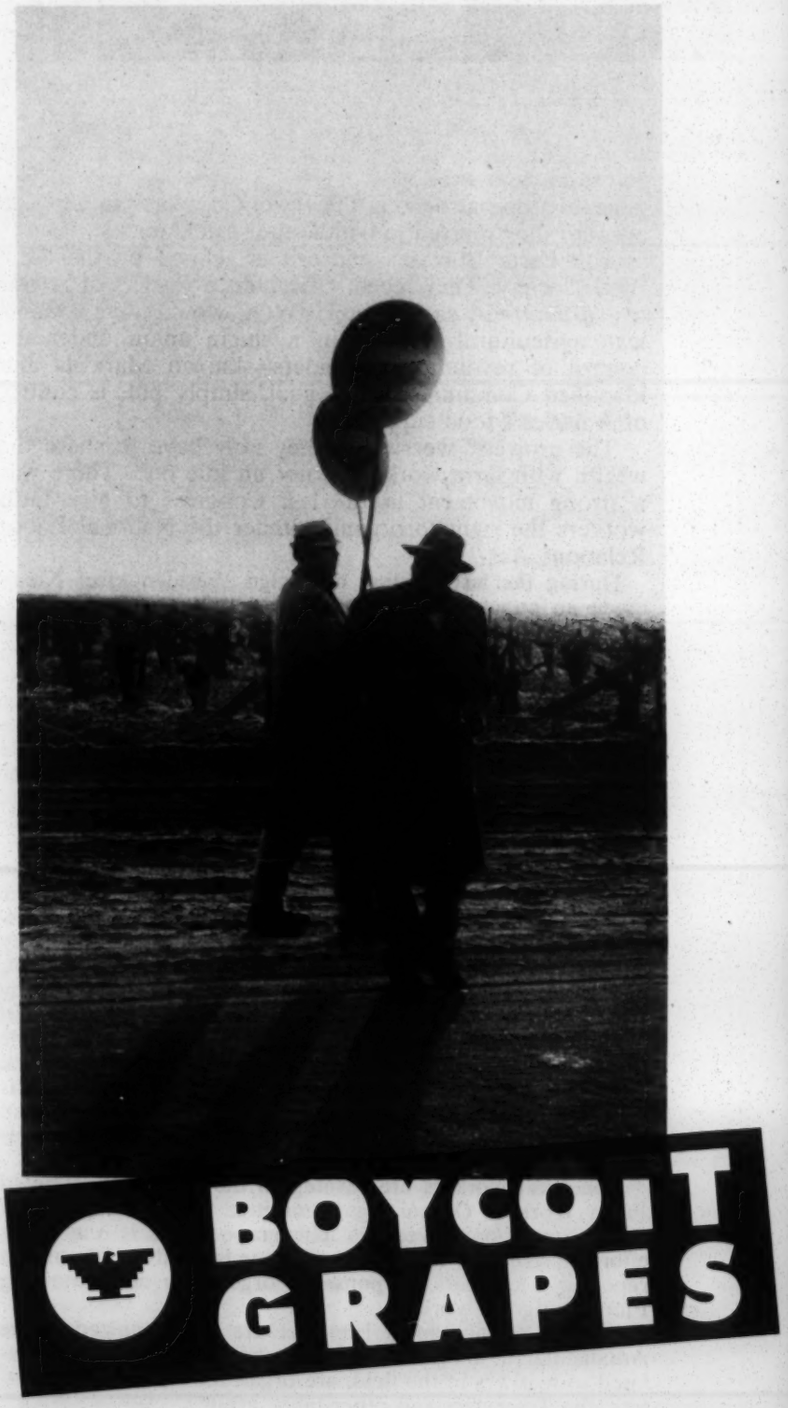
United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW

Grape boycott spurs farm worker drive for election on union bargaining rights



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L. HORTON

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Grapes: 'Another Kind of Boycott'

By JAMES E. BYLIN

SAN FRANCISCO — How do you fight a boycott that's "a cruel hoax, a blackmail tactic and a violation of moral law"?

With your own boycott.

Such has been one reaction by a number of farm and farm-oriented groups opposing the national boycott called by the AFL-CIO's National Farm Workers Organizing Committee against California's big fresh-grape industry in its effort to secure collective bargaining contracts with growers.

Their target: San Francisco, far from the dusty vineyards of California's central valley.

Last year, the San Francisco Board of Supervisors approved a resolution endorsing the boycott, a resolution that Mayor Joseph Alioto signed somewhat reluctantly. This action has triggered about a dozen farm groups to date —more than 10,000 money-spending delegates —to cancel their San Francisco-scheduled conventions and move them elsewhere. These groups include the American Farm Bureau Federation, the California Grape and Tree Fruit League, the California Beet Growers Association and the California Cattlemen's Association. Others may be following suit.

The groups criticize the boycott—and San Francisco—in pretty much the same language as Robert Durbrow, secretary of the Irrigation Districts Association of California, another San Francisco dropout, who labels the boycott as a cruel hoax, blackmail tactic and violation of moral law.

"We sincerely regret the necessity to use this means to express our displeasure with the grape boycott resolution . . .," Mr. Durbrow continues. "But our members' concern for protecting California agriculture from ruthless coercion was the executive committee's prime incentive in taking this action."

The question hence arises: Aren't these farm-rural groups adopting the same tactic they're denouncing?

Says one major grower and food distributor, "It's just another kind of boycott and as far as I'm concerned, any boycott is vicious. Carry a boycott to its logical end and it could be a very dangerous thing, opening a veritable Pandora's Box. Why, we could refuse to buy autos from Detroit because the city also endorsed the grape boycott."

Another highly placed farm official, who agrees that "there is some inconsistency in this thing," says most growers don't see it that way. They argue, he says, that the trouble with the grape boycott is that it's secondary in nature, aimed at keeping grapes out of markets, thus denying the housewife the right to buy grapes or boycott as she wishes. Their boycott, he distinguishes, is primary.

But then he also acknowledges that these groups may well be hurting many innocent victims by boycotting San Francisco, including the hotels, restaurants and retailers. (The San Francisco Convention and Tourist Bureau, which has asked the supervisors to revoke the resolution, says several million dollars in convention business may be lost.)

"This is an exertion of pressure to reach a goal or ideal," the farm official says. The apparent goal: To get the supervisors to change their minds even though, he shrugs, the politicians have no real, direct impact on the sale of grapes. Adds the grower-food distributor, "That's just another form of blackmail."

During the long grape boycott, now dating back more than a year, growers and their allies have constantly charged union organizers and their supporters with misrepresenting the facts. Yet, they may be dabbling in some of the same in regard to the San Francisco boycott.

Like others, for instance, the president of one group pulling out of San Francisco refers to the "unyielding position of the San Francisco mayor and board of supervisors. . . ."

"They've misinterpreted Mayor Alioto all along," says the farm official. "I guess they've felt he should have been more pro-agriculture." (Along with his lucrative law practice, Mayor Alioto has been the highly paid president of the rice growers association, a big cooperative.)

In fact, Mayor Alioto initially shied away from the resolution. He attempted to use his offices to at least initiate discussion between grape growers and union officials. This failed, according to an aide, when growers balked at the idea. Mayor Alioto subsequently signed the resolution, but with reservations, claiming the supervisors were actually condemning all growers, his aide explains.

Why did Mayor Alioto sign the resolution at all? According to his aide, "What the mayor was critical of was that growers refused any attempt to bring a solution or even to discuss the issues with the farm workers. This simply heightened tensions not only in farm areas, but in the Spanish-surname communities in the larger cities as well." San Francisco counts more than 100,000 Spanish-surname residents among its 800,000 population.

The grape growers contend their workers aren't out on strike, that the trouble is the work of outside agitators. They picture themselves, too, as innocent victims. What, then, could provoke their action against San Francisco? As the big grower-food distributor puts it, "If vengeance is their motive, then it's a good move."

Notable & Quotable

Dennis Altman, creative director of Altman, Bratrude & Soforth, speaking to the Junior Women's Advertising Club of Chicago:

. . . While the leaders of other industries excoriate the poets and painters of the love generation, (advertising agencies) employ them. And when we hire hippies, we do it to learn from them, not to "straighten them out." When we hire Negroes, we don't ask them to be white. We want them black. We need blackness for its genius, not its appearance. . . .

Contrary to all the Madison Avenue fables about martinis, gray suits and country club connections, the advertising business thrives on people who make waves, rock boats and shake foundations. We live on change. We feed on it. And we encourage it every way we can.

government ... the city, but Ottawa pays the bill. That decision touched off a vitriolic dispute between the two governments, an exchange of insults that perhaps reached its nadir when Mr. Trudeau said he thought Quebec Premier Jean-Jacques Bertrand was "off his rocker."

Decisions and Divisions

New life has also been breathed into Ottawa politics by Mr. Trudeau's permitting his ministers to express personal opinions before cabinet decisions are made. In the past, traditions of cabinet solidarity were interpreted to mean divisions of opinion couldn't be allowed to surface. Thus, before the NATO decision was made, some ministers publicly stood for or against a pullback and the prime minister said such statements didn't constitute a breach of cabinet solidarity when made before government policy has been decided. Now Finance Minister E. J. Benson is considering bringing in outside consultants to help prepare his budgets, a process that always has been conducted by a handful of departmental officials in utmost secrecy.

In other ways, though, Mr. Trudeau has imposed tight secrecy, notably on what happens within cabinet sessions. This is a reaction to the squabbles that frequently surfaced during the Pearson era. Officials scrupulously decline to talk about anything that happens within the cabinet room, including what color turtleneck the prime minister was wearing last weekend.

With this emphasis on secrecy until decisions are reached, it's difficult to tell just how much of the iceberg is likely to rise above surface before the Commons rises in June. Almost every department boasts of several task forces. But judging from the rate at which ideas and legislation have been coming to the surface lately, Mr. Trudeau realizes that his honeymoon is just about over. Now Canadians will see what living with him really like.

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EV — Grape Strike

California's Sour Case of the Grapes

2/13/69 . . . Wall St. Journal . . . . . .

By JAMES E. BYLIN

SAN FRANCISCO—Since September 1965, the shouts of *"huelga"*—strike—have been ringing through the dusty vineyards around Delano in California's lower central valley. For more than a year, union leaders fighting for collective bargaining contracts with growers have been leading a national boycott against all California fresh grapes.

Superficially, at least, growers and the AFL-CIO's United Farm Workers Organizing Committee, headed by the controversial 41-year-old Cesar Chavez, remain today as far apart as ever. About the only thing on which they do agree is that the boycott to date hasn't been a success. The simple proof: It hasn't brought the growers to the bargaining table.

Yet, the seeds sowed by the boycott may be ripening into a resolution. No one knows what that resolution may be, though the decision may finally rest with the weather-hardened grape pickers themselves.

Waiting for Harvest

California's $100 million fresh grape industry—the state produces some 90% of the nation's grapes—is now between seasons. Only a few grapes, relatively speaking, remain in cold storage for sale until May when the first harvests begin in Southern California's Coachella valley. The bulk of the grapes are disgorged during the summer and fall from central valley vineyards stretching several hundred miles from south of Delano to near Sacramento.

For the outsider, the true nature of the boycott and labor dispute is extremely difficult to unravel. The embittered growers and UFWOC can't agree on even the most basic facts. Along with language problems at the source—the farm workers—the barriers include complicated patterns of farm labor and fresh produce marketing and pricing.

The biggest discrepancy centers around UFWOC's impact in Delano, which remains the focus of the dispute though all California's several thousand fresh grape growers are involved in the boycott. Growers contend that 90% of the more than 5,000 workers at peak harvest live in the Delano area, and have regularly picked the grapes in defiance of the union. UFWOC's picket-line threats and intimidations have turned the workers against the union, growers hold. Moreover, they claim, UFWOC's muscle is flexed by student activists and clergymen—not farm laborers—who wrongly consider the dispute a civil rights protest.

UFWOC doesn't deny the outside support. In fact, the union argues, with little fear of contradiction, the strike probably would have lived and died in obscurity if Mr. Chavez hadn't lured the students and clergymen to Delano in late 1965. Mr. Chavez likes to call the dispute *"la causa"*—the cause.

UFWOC bristles at the contention that farm workers don't support it, too. Since the strike began, according to the union, untold thousands of workers have been convinced to leave Delano and work in non-struck crops, with growers continually replacing them with "strikebreakers."

UFWOC cites a graduate student's study that indicates 60% of the work force actually are migrants, many tilling the vineyards for the first time. Mr. Chavez has placed UFWOC's dues-paying members at 17,000 in the past, but the union now declines to release a figure. "Growers take us to the cleaners on the membership issue—it fluctuates so much," admits James Drake, a top union aide.

As evidence of inroads among vineyard workers, UFWOC points to a key election at the ranches of big Di Giorgio Corp., which raises fresh grapes and other foods. Di Giorgio, which formerly sold processed foods nationally under the S&W Fine Foods label, was an early boycott target. Unlike most other growers, it agreed to an election.

In the August 1966 election, UFWOC defeated the rival Teamster's Union, then making a short-lived fling at organizing farm workers. Only 2% of the voters cast their ballots for "no union." A contract was signed in 1967 after long arbitration.

Mr. Drake also points to turnover figures prior to the Di Giorgio election as evidence of union support. He contends that the work force at the company's Delano ranch was 1,100 during the harvest-time election, but that the number eligible to vote was about 2,600. The balance included workers who left after the strike was called the previous September. The company says it's impossible to determine the number of eligible voters, but its election records do indicate a total vote several hundred above employment at the time.

This union breakthrough may not prove permanent, however. Di Giorgio, which sold its S&W subsidiary, has also been under court order to divest its farm lands. Arbitrators writing its contract with UFWOC denied a "successor clause" which would have committed buyers of the land to union representation. Di Giorgio is now negotiating the sale of its final 6,100 acres, portending the end of the contract. UFWOC has also succeeded in winning a few other agreements, mainly with wineries, and claims 11 contracts covering 3,000 workers at peak season.

Most growers, though, resist the union and hotly deny charges they are exploiters. They counter that their harvesters are much better paid than most farm workers, averaging about $2.50 an hour. This is considerably above California's $1.70-an-hour average for farm workers in 1968. California, in turn, ranks with Washington and Connecticut as paying the highest farm wages in the nation.

If Delano workers are better off than their counterparts elsewhere in California and other states, why is the battle raging around the normally tranquil town? For one thing, many union leaders feel that if they're ever going to be successful in organizing all farm workers, they must make a major breakthrough at the top of the economic strata in agriculture rather than the bottom. They also maintain that even with a steady rise in farm wages—one grower estimates his average worker earns 85% more presently than five years ago—the gap between farm and industrial pay still is widening.

As far as harassment charges are concerned, UFWOC grumbles it's been the victim—by local police and sheriff's officials, particularly during the first year of the strike. "We had well over 100 people arrested and never convicted," says Mr. Drake. Nevertheless, as one top grape industry official puts it, "growers are convinced they are right—that their workers really don't want the union."

To hear growers tell it, they weathered the boycott quite nicely this past year. The boycott, one major grower-shipper allows, did effectively seal off the major New York and Boston markets and cut sales in such other big cities as Chicago, Atlanta, Detroit, Minneapolis, Milwaukee and San Francisco. However, he says, the crop was indeed sold and at "very satisfactory" and profitable prices, some the highest ever, except during August when historically they're depressed by large supplies hitting the market at one time.

Explaining a Paradox

How does he explain the seeming paradox of market losses and generally profitable prices? Conceding "We're not entirely certain," he speculates that "knowing we didn't have New York and Boston, we sought out new markets we didn't previously use in the South and Midwest. We extended more effort."

Predictably, the union has a different version. James Drake acknowledges that growers did find safety valve markets to circumvent the brunt of the boycott. But Mr. Drake also figures growers had to drop prices to break into these markets. He guesses the boycott cost them some $15 million, a figure industry officials dismiss as "hilarious."

Mr. Drake, meanwhile, says the union is intensifying the boycott and will carry it into cities where growers found their new markets, a maneuver that has some growers privately worried. "Will we get by with a more intensified boycott?" one major grower ponders.

Concern over a more effective boycott may yet persuade growers to modify their opposition to union certification elections in the fields. No machinery now exists by which a union could legally force such an election. The National Labor Relations Act provides such procedures in most industries, but the act excludes farm workers.

Ironically, this exclusion—long backed by farm owners—also undercuts charges by growers and their supporters that the grape boycott is illegal. The Labor Relations Act does outlaw secondary boycotts by labor organizations, but its definition of such organizations excludes agricultural workers.

Joseph M. McLaughlin, a southern California lawyer who represents major supermarket chains in the area, recalls that he was once able to use provisions of the act to settle a UFWOC boycott against a winery. In that case, the act applied because the union included not only field workers but also some non-excluded packing-shed work[illegible] they [illegible]

Coachella valley. The bulk of the grapes are disgorged during the summer and fall from central valley vineyards stretching several hundred miles from south of Delano to near Sacramento.

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Joseph M. McLaughlin, a southern California lawyer who represents major supermarket chains in the area, recalls that he was once able to use provisions of the act to settle a UFWOC boycott against a winery. In that case, the act applied because the union included not only field workers but also some non-excluded packing-shed workers. "Then they got smart," he says, and divested themselves of the packing-shed workers. He notes, however, that stores still can get some relief by asking courts to limit and control picketing.

Gov. Reagan's Position

Gov. Ronald Reagan, who in general has backed the growers solidly, says he favors state legislation to provide machinery for elections to determine if field hands want a union. Many growers still don't want to talk about such proposals. The union, which distrusts the Governor, is adopting a wait-and-see attitude until the actual bills start to grind their way through the legislature.

Union officials would oppose legislation that would limit elections to year-round farm workers, who may be more apt to side with employers. They note that Gov. Reagan supports unemployment insurance only for year-round workers.

An even bigger stumbling block may center on Gov. Reagan's call for legislation to prohibit strikes and work stoppages at harvest times. Growers claim their major fear is a strike at harvest time that could wipe out a year's crop. They argue they can't tool up again as a struck manufacturing plant can. But the union also is adamant that it won't talk about a non-strike clause — except at the bargaining table.

The need for some kind of legislation is clear, if only to settle the problem in the mind of consumers who are being asked by unions and, in many cases, their churches to refuse to buy grapes. Growers claim the boycott is nothing more than a "blackmail" attempt to force them to the table against their—and their workers'—will. The unions rebut the boycott is necessary since they can't legally force elections. The Delano dispute is 3½ years old.

It would seem time for the legislature to crank up the machinery needed to settle the issue. And time too, for both sides to adopt the attitude expressed by one top industry official pondering his side's claim that the workers do not want a union, "If you believe this, you put your money where your mouth is."

Wall Street Journal 5-21-69

REVIEW *and* OUTLOOK

The Cause Syndrome

We've always been a little skeptical of causes, and likewise of the people who aren't happy unless they're crusading for one or another of them. Causes and crusades are such black and white things, and in our experience the color of the truth is usually gray.

In the last few years, a most popular and curious cause has been boycotting grapes. Indeed, "la causa," it is called among labor union organizers trying to win the right to represent farm workers who tend and pick grapes in California. Other unions, many churches and various good liberal groups have been waging holy war, threatening with some effect to picket any grocery store that fails to quit stocking California table grapes.

Now, we think the union organizers have a point that there should be some machinery to resolve representation disputes in agriculture, which is not covered by the National Labor Relations Act election procedures. But the farmers also have a point: Just as it was necessary to stop railroads from charging whatever the traffic would bear at harvest time, so some procedures will be needed to prevent farm unions from doing the same thing. Working out legislation reflecting both of these equities is going to take a little time and a lot of compromising.

Such ambivalence strikes us as strange stuff from which to make a cause, and all the more so when the cause is tainted by so questionable a tactic as a secondary boycott. Supporters of the boycott make the debater's point that just as the grape growers escape the NLRA provisions for forcing elections, so the other side escapes its provisions outlawing such boycotts. But the anti-boycott provisions are not intended to balance the rights of the parties to the dispute; they were enacted for the excellent reason that secondary boycotts injure a lot of innocent bystanders.

The grape boycott has been no exception. An anti-boycott group is currently sending around, along with a lot of less thoughtful propaganda, reprints of a Washington Post article by Rep. B. F. Sisk, who represents part of the California grape country in Congress. He is, not so incidentally, a liberal Democrat who claims a voting record about 95% approved by the AFL-CIO.

Rep. Sisk points out that the labor disputes over grapes actually involve a few huge growers, whose farms are concentrated in Kern County. There have been practically no such disputes in the other seven counties of the San Joaquin Valley. In these seven counties, indeed, the average table grape farm includes only 36 acres. If the NLRA did apply to agriculture, most of these farms would remain exempt as too small. And while the boycotters are boycotting every last grape grown in California, the Kern County farms account for only 23% of the crop.

"In other words," Mr. Sisk continues, "in order to get jurisdiction over farm labor employed by 5% of the table grape growers who produce approximately 23% of California's table grapes, the farm union is willing to destroy the other 95% of the growers who raise the other 77% of the crop!"

Even if the boycott goes beyond its middling success so far, the large growers may have the financial reserves to weather it. This is not true of the typical grower, however, "men with calluses on their hands and mud on their boots." Rep. Sisk observes: "All they have to show for a lifetime of labor is a modest home and a big debt." He concludes that "they resent the abuse and vilification which has been heaped upon them by labor leaders, public officials, college activists and a host of other citizenry who seem unwilling to take the time to find out just exactly what the implications of the boycott are."

Much the same thing is true, we suspect, of most causes. Some people are psychologically fulfilled by the contagious enthusiasm of such pursuits as buttonholing people on street corners, collecting signatures of petitions, carrying picket signs and whatnot. Apparently it makes them feel virtuous.

This exuberant enthusiasm, though, is seldom compatible with any real understanding of the facts at issue. Or at least so it seems to us curmudgeons, who find that most political disputes are inherently ambivalent. The more you learn about them, the more the certainties fade away. And causes and crusades are blunt instruments, not adaptable to the qualifications, caveats and hints of doubt that strike us as marks of an honest search for truth.

What those picket signs for grape boycotts and such need is a little line of fine print: "Caution: There are probably two sides of this argument."

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Letter from DELANO

Grape Strike

Good Friday, 1969

E. E. Barr, Jr.
President
California Grape and Tree Fruit League
717 Market St.
San Francisco, Cal.

Dear Mr. Barr:

I am sad to hear your accusations in the Press that our union movement and table grape boycott have been successful because we have used violence and terror tactics. If what you say is true, I have been a failure and should withdraw from the struggle; but you are left with the awesome moral responsibility, before God and man, to come forward with whatever information you have so that corrective action can begin at once. If for any reason you fail to come forth to substantiate your charges then you must be held responsible for committing violence against us, albeit violence of the tongue. I am convinced that you as a human being did not mean what you said but rather acted hastily under pressure from the public relations firm that has been hired to try to counteract the tremendous moral force of our movement. How many times we ourselves have felt the need to lash out in anger and bitterness.

Today on Good Friday, 1969, we remember the life and the sacrifice of Martin Luther King, Jr. who gave himself totally to the non-violent struggle for peace and justice. In his **Letter from Birmingham Jail,** Dr. King describes better than I could our hopes for the strike and boycott: "Injustice must be exposed with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured." For our part I admit that we have seized upon every tactic and strategy consistent with the morality of our cause to expose that injustice and thus to heighten the sensitivity of the American conscience so that farm workers will have without bloodshed their own union and the dignity of bargaining with their agri-business employers. By lying about the nature of our movement, Mr. Barr, you are working against non-violent social change. Unwittingly perhaps, you may unleash that other force that our union by discipline and deed, censure and education has sought to avoid; that panacean short cut: that senseless violence that honors no color, class, or neighborhood.

You must understand—I must make you undertsand—that our membership and the hopes and aspirations of the hundreds of thousands of the poor and dispossessed that have been raised on our account are all above all, human beings, no better, no worse than any other cross section of human society; we are not saints because we are poor, but by the same measure neither are we immoral. We, are men and women who have suffered and endured much and not only because of our abject poverty but because we have been kept poor. The colors of our skins, the languages of our cultural and native origins, the lack of formal education, the

(Continued on page 8)

THE COVER

The illustration on this page, a view of the First Street soup-kitchen, was drawn last summer by a CW volunteer, Louise Giovannoni.

Xerox

Letter from DELANO

(Continued from page 1)

exclusion from the democratic process, the numbers of our slain in recent wars —all these burdens generation after generation have sought to demoralize us, to break our human spirit. But God knows that we are not beasts of burden, we are not agricultural implements or rented slaves, we are men. And mark this well, Mr. Barr, we are men locked in a death struggle against man's inhumanity to man in the industry that you represent. And this struggle itself gives meaning to our life and ennobles our dying.

As your industry has experienced, our strikers here in Delano and those who represent us throughout the world are well trained for this struggle. They have been under the gun, they have been kicked and beaten and herded by dogs, they have been cursed and ridiculed they have been stripped and chained and jailed, they have been sprayed with the poisons used in the vineyards; but they have been taught not to lie down and die or to flee in shame, but to resist with every ounce of human endurance and spirit. To resist not with retaliation in kind but to overcome with love and compassion, with ingenuity and creativity, with hard work and longer hours; with stamina and patient tenacity, with truth and public appeal, with friends and allies, with mobility and discipline, with politics and law, and with prayer and fasting. They were not trained in a month or even a year; after all, this new harvest season will mark our fourth full year of strike and even now we continue to plan and prepare for the years to come. Time accomplishes for the poor what money does for the rich.

This is not to pretend that we have everywhere been successful enough or that we have not made mistakes. And while we do not belittle or underestimate our adversaries, for they are the rich and the powerful and possess the land, we are not afraid or cringe from the confrontation. We welcome it! We have planned for it. We know that our cause is just, that history is a story of social revolution, and that the poor shall inherit the land.

Once again, I appeal to you as the representative of your industry and as a man. I ask you to recognize and bargain with our union before the economic pressure of the boycott and strike takes an irrevocable toll; but if not, I ask you to at least sit down with us to discuss the safeguards necessary to keep our historical struggle free of violence. I make this appeal because as one of the leaders of our non-violent movement, I know and accept my responsibility for preventing, if possible, the destruction of human life and property. For these reasons and knowing of Gandhi's admonition that fasting is the last resort in place of the sword, during a most critical time in our movement last February, 1968, I undertook a twenty-five-day fast. I repeat to you the principle enunciated to the membership at the start of the fast: if to build our union required the deliberate taking of life, either the life of a grower or his child, or the life of a farm worker or his child, then I choose not to see the union built. Mr. Barr, let me be painfully honest to you. You must understand these things. **We advocate militant non-violence as our means for social revolution and to achieve justice for our people, but we are not blind or deaf to the desperate and moody winds of human frustration, impatience and rage that blow** among us. Gandhi himself admitted that if his only choices were cowardice or violence, he would choose violence. Men are no angels and the time and tides wait for no man. Precisely because of these powerful human emotions, we have tried to involve masses of people in their own struggle. Participation and self determination remain the best experience of freedom; and free men instinctively prefer democratic change and even protect the rights guaranteed to seek it. Only the enslaved in despair have need of violent overthrow.

This letter does not express all that is in my heart, Mr. Barr. But if it says nothing else it says that we do not hate you or rejoice to see your industry destroyed; we hate the agribusiness system that seeks to keep us enslaved and we shall overcome and change it not by retaliation or bloodshed but by a determined non-violent struggle carried on by those masses of farm workers who intend to be free and human.

Sincerely Yours,
Cesar E. Chavez
United Farm Workers Organizing Committee, AFL-CIO
Delano, California

LETTERS

(Continued from page 5)

in jail and keep him in jail for the length of time — likely to run into months—it takes to bring one of his cases into court . . . and this **absolutely regardless** of whether he is guilty of either crime.

This power should not be given to the police. We all know of incidents wherein the police have displayed an amazing determination to "get someone," whether or not he is guilty of crime. They cannot be trusted with the power to jail someone by fiat.

Today, the Nixon administration has only tentatively considered pretrial jailing. The best way to keep it from becoming a dangerous reality is a quick and forceful reaction against the idea.

Please urge those you can reach to **let Washington know** they disapprove and disapprove strongly of the proposed "preventive detention" measures. Urge them to write the President, their senators and representatives, and their local newspapers to protest the idea that anyone should have the power to jail another person without full judicial safeguards.

Yours in liberty,
Robert W. Starfire

Simple Burial

Burnsville, North Carolina
28714

To the Editor:

It is ironical that the struggle to achieve dignity, simplicity and economy in funeral practices continues to gain ground among educated and prosperous people, but is lagging among the social groups who need it most. The fune al reform movement, organized in the Continental Association of Funeral and Memorial Societies (59 E. Van Buren Street, Chicago, Ill. 60605), is keenly aware of this limitation and is seeking to broaden its usefulness.

Central to this struggle is the booklet, **A Manual of Simple Burial** ($1 postpaid, Celo Press, Burnsville, N.C. 28714) which has just appeared in its fourth edition, extensively revised.

This comprehensive booklet discusses the social, emotional and financial problems of families at time of death, and how to meet these problems. It tells how to obtain dignity, simplicity and economy in funeral arrangements through pre-planning. It explains in detail about memorial societies, where they are and how to organize them; about eye-banks, bone banks and medical schools and how to cooperate with them.

It is the responsibility of every mature individual to inform himself on this important phase of life and to keep detailed information available.

Sincerely,
Ernest Morgan

Reassurance

One to go all alone
To an unknown place,
Meeting, face to face,
Maker of stone,

Maker of dust, hour,
And hourless, too,
Is harder to think than do,
But that I saw a flower

Once, so small,
Whiter than the snow
Of months ago,
And so saw all

The difference the same
As the flower a white
Smallness showing might
To the mind I claim.

JOHN FANDEL

Grape Strike

BARRON'S

50 CENTS — *National Business and Financial Weekly* — JUNE 2, 1969

Forbidden Fruit?

The Boycott on Grapes Is Ripe for Exposure

"POLITICS makes strange bedfellows, and bleeding hearts sometimes beat as one. In any event the cause recently embraced by Senator McCarthy has attracted nationwide financial and moral support, as well as the local application of a little extra-legal union muscle. In a fine display of righteous indignation, various church groups have passed the plate for the oppressed California farm workers and otherwise moved Heaven and earth to trample out the vintage where the grapes of wrath are stored. The Democratic mayor of Detroit, and his so-called Republican colleague in New York, have canceled municipal orders for California grapes and urged their fellow citizens to follow suit. Most harmful of all, various AFL-CIO unions one way or another have persuaded — 'coerced and restrained,' according to a complaint filed with the NLRB by one grower — Gotham's food chains not to stock the controversial produce."

* * *

The foregoing comments appeared in Barron's on August 5, 1968. Shortly afterward the labor organizations cited above, including locals of the Amalgamated Meatcutters and Butcher Workers, Retail, Wholesale and Chain Food Store Union and Seafarers International Union, while denying all charges, legally consented to go and sin no more. Otherwise little or nothing has changed. Left-wing magazines still pour out propaganda favoring "la causa," as it has come to be known. Wealthy socialites and politicians-on-the-make, who wouldn't dream of serving a California wine, have thrown parties and raised money for Cesar Chavez, head of the United Farm Workers Organizing Committee (AFL-CIO), and the downtrodden of the earth. UFWOC and its militant supporters, meanwhile, including a large contingent of hippies, yippies and hard-core SDS, are pressing their boycott against supermarkets and other retail outlets which persist in stocking and selling the forbidden fruit.

Harvest-time in the San Joaquin and Imperial Valleys, for the fifth year in a row, thus is yielding nationwide bitterness and strife. However, at long last it also holds the fertile promise of cutting off at the roots one of the most tenacious myths ever planted by the liberal establishment. On the strength of the available evidence, notably the relative economic well-being of supposedly oppressed California grape pickers, Barron's last August concluded that the Chavez crusade was a fraud. Since then other qualified observers—including a syndicated columnist, a lawmaker whose views tend to square with those of organized labor and a spokesman for Michigan housewives — have publicly agreed. Moreover, it has grown increasingly clear that while the charismatic Mr. Chavez commands eager devotion in pulpits and drawing-rooms, he counts for little in the vineyards, where the number of his dues-paying supporters increased by precisely 227 last year. Finally, by opposing various measures newly introduced in Congress to improve the bargaining position of farm workers, the head of UFWOC has shown up his cause for what it is: neither peace-loving nor compassionate, but a ruthless grab for power. Muckraking knows no season, but those who would expose it must pick their time and place. In grapes the time is ripe.

In some circles, to be sure, unpleasant truths simply aren't welcome. Thus, as we have pointed out before, Mr. Chavez has enjoyed widespread support among radical church groups and New Left militants, as well as such left-leaning politicians as Detroit's Mayor Cavanaugh and New York's Mayor Lindsay, both of whom last year banned California grapes from official tables. Until doughty growers named Giumarra, after filing a complaint with the National Labor Relations Board, won their consent decree, UFWOC also enjoyed the help of fellow unions, which sought to pressure food chains into refusing to buy or sell the fruit. Now other willing hands have taken up the task. Until enjoined by a U.S. District Court, a group called Jews for Urban Justice last winter picketed a number of Giant Food stores in Washington, D.C., as well as the home and synagogue of the company's president. According to Clarence G. Adamy, head of the National Association of Food Chains: "Store executives have been appealed to and threatened by members of Catholic and Protestant church groups . . . in some areas black militant groups have joined the efforts to remove California grapes with threats of personal violence." Last week Barron's, which rated no bid to the posh fund-raising affairs thrown by the George Plimptons and the Carter Burdens, was invited to join a "24-hour-a-day vigil" in front of the Grand Union store in Washington Square Village.

While throwing its weight around from coast-to-coast, UFWOC barely tips the scales in Kern and Fresno Counties. According to data filed with the U.S. Department of Labor, the organization in 1967 on average received $6,869 in dues payments per month. At $3.50 per head, which is union scale, the arithmetic indicates 1,963 dues-paying members. Comparable figures for 1968 disclose that average monthly dues payments rose to $7,663, suggesting a net gain in membership of 227. (Total receipts, by the way, came to $684,281—the propaganda campaign has paid off.) In sum, it is doubtful whether UFWOC today, after half a decade, represents as many as 3% of all grape pickers, or 1.5% of all farm workers, in the Golden State, unimpressive strength which those who oppose Mr. Chavez in the fields, a loosely knit group less than a year old known as Farm Workers for Freedom to Work, claim easily to match.

The remarkable lack of grass-roots support has been emphasized time and again, notably by columnist James J. Kilpatrick, who labeled the whole affair a hoax, and by Michigan State Senator Lorraine Beebe, who, after making a special fact-finding trip to the Coast, observed: "Despite their organizing efforts, UFWOC and its leader have little support among grape workers in the fields . . . Indeed, considering Mr. Reuther's commitment of his union's funds and other resources to this campaign, it might be said that headquarters for the grape boycott movement is as much Wayne County, Mich., as it is Fresno or Kern County, Calif." By his rule-or-ruin tactics, Mr. Chavez even has succeeded in arousing Rep. B. F. Sisk (D., Calif.) a lawmaker who usually sees eye-to-eye with the AFL-CIO. As Rep. Sisk points out, the boycott, while ostensibly aimed at corporate giants, actually hurts thousands of small growers who constitute the bulk of the trade. "..... In order to get jurisdiction over farm labor employed by 5% of the table grape growers . . . the farm union is willing to destroy the other 95% of the growers who raise 77% of the crop." He concludes scathingly: " 'Long live the cause,' is the battle cry . . . To which I would add, 'If the cause is just.' "

* * *

On this score, Cesar Chavez, after years of pious rhetoric, at last has been smoked out. What he is after, he has now made clear, is not collective bargaining but compulsory unionism. Specifically, during hearings in mid-April on a measure introduced by Sen. Harrison A. Williams (D., N.J.) to extend the National Labor Relations Act to agricultural workers—a bill embraced by AFL-CIO President George Meany and presumably drafted with UFWOC approval—Mr. Chavez rejected his own handiwork. Farm unions, he cried, should be exempted from the Taft-Hartley ban on secondary boycotts. What's more, even in states with right-to-work laws, they should have authority to run hiring-halls and to enforce the closed shop. Extremist as they may seem, such proposals are just for openers. Here is Mr. Chavez on the longer haul: "While we do not belittle or underestimate our adver-

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FORBIDDEN FRUIT?

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aries," he recently wrote to one, "for they are the rich and the powerful and possess the land, we are not afraid or cringe from the confrontation. We welcome it! We have planned for it. We know that our cause is just, that history is a story of social revolution, and that the poor shall inherit the land."

Whether this Marxist parody of the Psalms will come to pass, no man can say. What is clear is that in the name of compassion, UFWOC is seeking limitless power over the nation's food supply. As State Senator Beebe has observed: "If the boycott movement is allowed to proceed unchecked, it is only a matter of time before supermarkets and grocery stores are faced with demands to remove any number of the thousands of items carried on grocery shelves: cherries from Michigan, oranges from Florida, dairy products from Wisconsin, and brand name products of all kinds." Freedom to buy and sell is perishable, too.

AP

GRAPE STRIKERS MARCHING FROM DELANO TO SACRAMENTO

DAVID GAHR

PICKETS OUTSIDE MARKET IN BROOKLYN

THE LITTLE STRIKE THAT GREW TO *LA CAUSA*

ITEM: At a dinner party in New York's Westchester County, the dessert includes grapes. The hostess notices that her fellow suburbanites fall to with gusto; the guests from Manhattan unanimously abstain.

ITEM: At St. Paul's, a fashionable New Hampshire prep school, grapes are the only part of the meal invariably left untouched.

ITEM: In San Francisco, a Safeway official observes: "We have customers who come to the store for no other reason than to buy grapes. They'll load up their car with grapes and nothing else."

ITEM: In Oakland, a conscience-ridden housewife explains apologetically to her dinner companions: "I really wanted to have this dessert, and I just decided that one little bunch of grapes wouldn't make that much difference."

ITEM: In Honolulu, the Young Americans for Freedom organizes an "emergency grape lift" by jet from the mainland, inviting "all of those starved for the sight of a California grape to come to the airport."

WHY all the excitement about this smooth, sweet and innocent fruit? The answer is that the table grape, *Vitis vinifera,* has become the symbol of the four-year-old strike of California's predominantly Mexican-American farm workers. For more than a year now, table grapes have been the object of a national boycott that has won the sympathy and support of many Americans —and the ire of many others. The strike is widely known as *la causa,* which has come to represent not only a protest against working conditions among California grape pickers but the wider aspirations of the nation's Mexican-American minority as well. *La causa's* magnetic champion and the country's most prominent Mexican-American leader is Cesar Estrada Chavez, 42, a onetime grape picker who combines a mystical mien with peasant earthiness. *La causa* is Chavez's whole life; for it, he has impoverished himself and endangered his health by fasting. In soft, slow speech, he urges his people—nearly 5,000,000 of them in the U.S.—to rescue themselves from society's cellar. As he sees it, the first step is to win the battle of the grapes.

Magnified Movement

To enter the public consciousness, a labor conflict must ordinarily threaten the supply of essential goods and services, like steel or transportation. Politicians and the public take notice only when there is great impact on the economy, when spectacular bloodshed occurs or when well-recognized issues are at stake. The grape strike seems to meet none of these criteria. Americans could easily live without the table grape if they had to, and even that minor sacrifice has been unnecessary. The dispute has been relatively free of violence. Neither great numbers of men nor billions of dollars are involved. The welfare of agricultural workers has rarely captured U.S. attention in the past, but the grape strike—*la huelga*—and the boycott accompanying it have clearly engaged a large part of the nation.

The issue has divided husband and wife, inspired countless heated arguments at social occasions and engendered public controversy from coast to coast. As if on a holy crusade, the strikers stage marches that resemble religious pilgrimages, bearing aloft their own stylized black Aztec eagle on a red field along with images of the Virgin of Guadalupe, patroness of Mexicans and particularly of those who work the soil. As the workers and their sympathizers march, supermarket chains, middle-class consumers, and even the grape growers are choosing sides. Some supermarkets are leaving the choice to the shopper. Others sell only grapes imported from Africa or Israel, and make a point of advertising that they do not carry the California product. On Capitol Hill, diners in the House restaurants have not seen a grape for months, while the Senate refectory has been using 15 lbs. to 20 lbs. a week. When one California Congressman sent large bags of grapes to each of his colleagues, many of the recipients returned them. Within a few hours, the corridor outside the Congressman's office was asquish with trod-upon fruit.

Governor Ronald Reagan calls the strike and boycott "immoral" and "attempted blackmail." Senator George Murphy, like Reagan an old Hollywood union man-turned-conservative, terms the movement "dishonest." The Nixon Administration has seemed ambivalent, putting forward legislation that would ostensibly give farm workers organization rights but would also limit their use of strikes and boycotts. The Pentagon has substantially increased its grape orders for mess-hall tables, a move that Chavez and his followers countered last week by preparing a lawsuit to prevent such purchases on the ground that grapes are the subject of a labor dispute. Some auto-bumper stickers read: NIXON EATS GRAPES. The growers' answering slogan: EAT CALIFORNIA GRAPES, THE FORBIDDEN FRUIT.

Edward and Ethel Kennedy, following the late Robert Kennedy's example, have embraced Cesar Chavez as a brother. The so-called Beautiful People, from Peter, Paul and Mary to the Ford sisters, Anne Uzielli and Charlotte Ni-

archos, are helping to raise funds for the strikers. That support is one of the few issues that find Chicago Mayor Richard Daley, iconoclastic Writer Gloria Steinem, and liberal Senators Jacob Javits and George McGovern in total agreement. Ralph Abernathy lends black help to what is becoming the Brown Power movement.

The fact that it is a movement has magnified *la huelga* far beyond its economic and geographic confines. At stake are not only the interests of 384,100 agricultural workers in California but potentially those of more than 4,000,000 in the U.S. Such workers have never won collective bargaining rights, partially because they have not been highly motivated to organize and partially because their often itinerant lives have made them difficult to weld into a group that would have the clout of an industrial union. By trying to organize the grape pickers, Chavez hopes to inspire militancy among all farm laborers. Because most of the grape pickers are Mexican Americans, he also believes that he is fighting a battle on behalf of the entire Mexican-American community, which as a group constitutes the nation's second biggest deprived minority.

Unlettered and Unshod

Like the blacks, Mexican Americans, who are known as *Chicanos*, are a varied and diverse people. Only recently have they emerged from a stereotype: the lazy, placid peasant lost in a centuries-long siesta under a sombrero. Unlike the blacks, who were brought to the U.S. involuntarily, the *Chicanos* have flocked to the U.S. over the past 30 years, legally and illegally, in an attempt to escape the poverty of their native Mexico and find a better life. Whatever their present condition may be, many obviously find it better than their former one, as evidenced by the fact that relatives have often followed families into the U.S. The *Chicanos* do not speak in one voice but many, follow no one leader or strategy. Their level of ambition and militance varies greatly from *barrio* to *barrio* between Texas and California.

No man, however, personifies the *Chicanos'* bleak past, restless present and possible future in quite the manner of Cesar Chavez. He was the unshod, unlettered child of migrant workers. He attended dozens of schools but never got to the eighth grade. He was a street-corner tough who now claims as his models Emiliano Zapata, Gandhi, Nehru and Martin Luther King. He tells his people: "We make a solemn promise: to enjoy our rightful part of the riches of this land, to throw off the yoke of being considered as agricultural implements or slaves. We are free men and we demand justice."

The dawning of Chavez's social awareness came in a seamy San Jose, Calif., *barrio* called *Sal Si Puedes* —"Get out if you can." Through Fred Ross, a tall, quiet organizer for Saul Alinsky's Community Service Organization, Cesar began to act on Alinsky's precept that concerted action is the only means through which the poor can gain political and economic power. Chavez, a Roman Catholic, has delved deeply into the papal social encyclicals, especially *Rerum Novarum* and *Quadragesimo Anno*.* "What Cesar wanted to reform was the way he was treated as a man," recalls his brother Richard. "We always talked about change, but how could we go about it?" Cesar Chavez went about it by working with the C.S.O. among Mexican Americans for ten years. Then, in 1962, he left to form a farm workers' union.

The conditions under which farm laborers toil have improved somewhat since the squalid Depression era so well evoked by John Steinbeck in *The Grapes of Wrath* and *In Dubious Battle*; yet field work remains one of the most unpleasant of human occupations. It demands long hours of back-breaking labor, often in choking dust amid insects and under a flaming sun. The harvest-time wage for grape pickers averages $1.65 an hour, plus a 25¢ bonus for each box picked, while the current federal minimum wage is $1.60.

Despite this, the seasonal and sporadic nature of the work keeps total income far below the poverty level. Average family income is less than $1,600 a year. There is no job security, and fringe benefits are few. If they are migrants, the workers must frequently live in fetid shacks without light or plumbing (though housing, bad as it is, is frequently free or very cheap.) As a result, many have moved to the cities, where even unskilled labor can find work at decent wages.

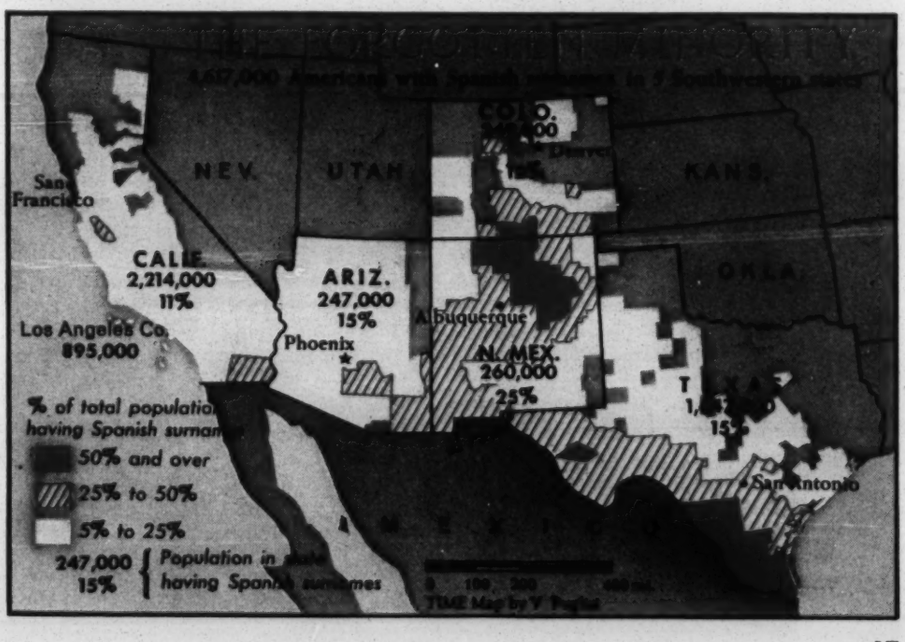
Chavez was not the first to try to organize farm workers. Ineffective efforts to found agricultural unions date back to the turn of the century. But only in Hawaii, where Harry Bridges' tough longshoremen's union used its muscle to win the first farm-labor contract for sugar-cane workers in 1945, did unionization take hold. Agriculture is outside the jurisdiction of the National Labor Relations Board, which has provided federal ground rules for industrial workers' unions since 1935; on a national level, there is no similar mechanism for farm workers. In May the Nixon Administration proposed an independent Farm Labor Relations Board, but chances for passage of such a law this year are small. Without NLRB protection, and with farm labor normally transient and seasonal, the difficulties of organizing are enormous.

Rose Grafts and Table Grapes

Undeterred by these obstacles, Chavez took his $1,200 in savings and started the National Farm Workers' Association seven years ago, setting up its headquarters in the San Joaquin Valley agricultural town of Delano. He clicked off 300,000 miles in a battered 1953 Mercury station wagon, crisscrossing the San Joaquin and talking to more than 50,000 workers in the first six months. His money was soon gone, but he found people who were willing to give him food. The N.F.W.A. had its first formal meeting in Fresno in September 1962; 287 people showed up. Chavez soon started a death-benefits plan for his members, a curious echo of the burial societies organized decades ago by Eastern European immigrants on their arrival in the U.S. He also set up a credit union with $35 in assets (it now has more than $50,000). By August 1964, he had 1,000 members, each paying $3.50 a month in dues—no small sum for a farm worker's family. Soon he began publishing a union newspaper called *El Malcriado* (The Misfit), whose circulation is 18,000.

At last the union felt strong enough

* *Rerum Novarum*, published by Leo XIII in 1891, contended that the rich had in effect enslaved the poor, and that every man has a right to a decent wage and reasonable comfort. Pius XI, in *Quadragesimo Anno* (1931), criticized the economic despotism that results from "limitless free competition" and reiterated the principle of a just wage.



to tackle the growers on a substantive issue. In 1964, the N.F.W.A. took one employer to court for paying less than the then minimum wage of $1.25 per hour, and after months of wrangling, won the case. The amounts of money gained were small but the point was made: a boss could be beaten. Then the association sued the Tulare County housing authority over the rents and conditions at two labor camps, built in the late 1930s and intended to be used for only a few years. The camps were a hideous collection of 9-ft. by 11-ft. tin shacks, boiling in the summer sun and lacking both indoor plumbing and heat for the chill nights. Tulare officials subsequently built modern accommodations.

In May 1965, Chavez signed up a group of rose grafters and won a strike vote for higher wages. Everyone pledged not to go to work, but just to make sure that no one did, Chavez and Dolores Huerta, his tiny, tough assistant, made the rounds early on the strike's first morning. Mrs. Huerta saw a light in one house where four of the workers lived. She reminded them of their pledge, but they had changed their minds. Mrs. Huerta moved her truck so that it blocked their driveway and put the key in her purse. The incident illustrated the charge that Chavez and his aides sometimes coerce those who would rather work than strike. After only four days of the strike, the grower agreed to give the workers a 120% wage increase.

That same spring, in the Coachella Valley east of Los Angeles, the largely Filipino grape pickers of the A.F.L.-C.I.O.'s fledgling Agricultural Workers Organizing Committee won a brief strike for pay equal to that given field hands imported from Mexico. When the workers moved north to Delano at the end of the summer, grape growers there refused to make a similar agreement, and A.W.O.C. once more went on strike. On Sept. 16, which just happened to be Mexican Independence Day, Chavez's group held a tumultuous meeting and voted unanimously to join the walkout. The hall of the Roman Catholic church on Delano's west side resounded with cries of *"Viva la huelga!" "Viva la causa! Viva la unión!"* The N.F.W.A. and the A.W.O.C. merged two years later to form the United Farm Workers Organizing Committee, headed by Chavez.

Table-grape growers are particularly vulnerable to strikes because their product requires continual attention through much of the year. Since the appearance of the fruit affects its value—unlike the case of wine grapes—the bunches must be carefully picked by hand. Because of their vulnerability, Chavez picked the table-grape growers as his first target. In 1966, after a strike, he got his first contract when Schenley Industries capitulated because it had a nationally known name at stake. Later that year he won the right to represent workers at the mammoth Di Giorgio ranch in an election monitored by the American Arbitration Association. Both Di Giorgio and Schenley have since sold their table-grape holdings, however, and Chavez's only contracts now are with wine producers: Gallo, Christian Brothers, Masson, Almadén, Franzia Brothers and Novitiate.

Boycott and Breakthrough

Chavez has never been able to get large numbers of laborers to join the strike. Many of those who do follow him are fanatic in their loyalty, but a large segment of the shifting, transient work force continues to be indifferent to unionism. Wages have been rising even in the absence of contracts, and few farm workers can afford to go unpaid for long. Although federal regulations theoretically prohibit the hiring of aliens, or "green-carders," as strike breakers, the owners have nevertheless continued to use imported workers of Mexican citizenship.

Chavez decided to resort to the boycott to keep pressure on the table-grape growers. He applied it first in 1967 to the Giumarra Vineyards Corp., the largest U.S. table-grape producer. Giumarra started using the labels of other growers—in violation of Food and Drug Administration rules—to circumvent the boycott. In retaliation, the Chavez people began to appeal to stores and consumers not to buy any California table grapes at all. The boycott has been extended overseas to Britain and Scandinavia.

Chavez has now finally achieved a breakthrough: nationwide grape sales were off 12% in 1968, and prices for this year's first California grapes are down as much as 15%. Last month ten growers representing about 12% of the state's table-grape production announced that they would sit down with Chavez to write a contract. If negotiations with Chavez succeed, some other vineyards may also sign contracts, but a determined majority still barely acknowledge his existence and remain adamantly opposed to union recognition.

If the union does begin to win contracts with an increasing number of growers, a new difficulty could arise: How is the consumer to tell the difference between union and nonunion grapes? Boxes can be labeled easily, but not loose bunches of grapes in a market. The union claims that existing boycott machinery can be turned around to promote the produce of those who

An Anglo-*Chicano* Lexicon

As with other minority groups, there is a special vocabulary used by and about Mexican Americans. The words, naturally, are mainly Spanish. Among them:

Anglo: white, non-Mexican American. Though normally used simply in a neutral, descriptive manner, the term sometimes has pejorative overtones. It has to some extent replaced *gringo*. *Agringada* describes a Mexican American who has gone completely *Anglo* in his way of life.

Barrio: literally "district," the Spanish-speaking quarter of a U.S. city; also, *colonia*.

Bracero: Mexican citizen brought into the U.S. temporarily and usually in groups to add to the existing labor force at times of peak activity. The program, begun during World War II to relieve manpower shortages, was ended—over farmers' protests—in 1964. However, individuals known as "green-carders" (for the permits they hold) can work as aliens.

La Causa: literally, "the cause." Cesar Chavez's farm-labor movement; also, more broadly, the advancement of Mexican Americans.

Chicano: Mexican American. A shortened, corrupted form of *Mexicano*, with the first syllable dropped and the "x" pronounced like *ch* in *cheese*, in the fashion of Mexico's Chihuahua Indians.

Hispano: descendant of the original Spanish settlers of areas now part of the U.S. Used chiefly in New Mexico and Colorado to distinguish such Spanish-speaking Americans from later immigrants of Indian descent.

La Huelga: the strike.

Malinchista: traitor to the Mexican-American cause. From Malinche, the daughter of a Mexican nobleman, who became Cortés' mistress and aided the Spanish in their conquest of Mexico.

Mestizo: person of mixed Spanish and Indian blood, as are most Mexican Americans. *Gueros* have relatively light skins; *trigueños* are somewhat darker.

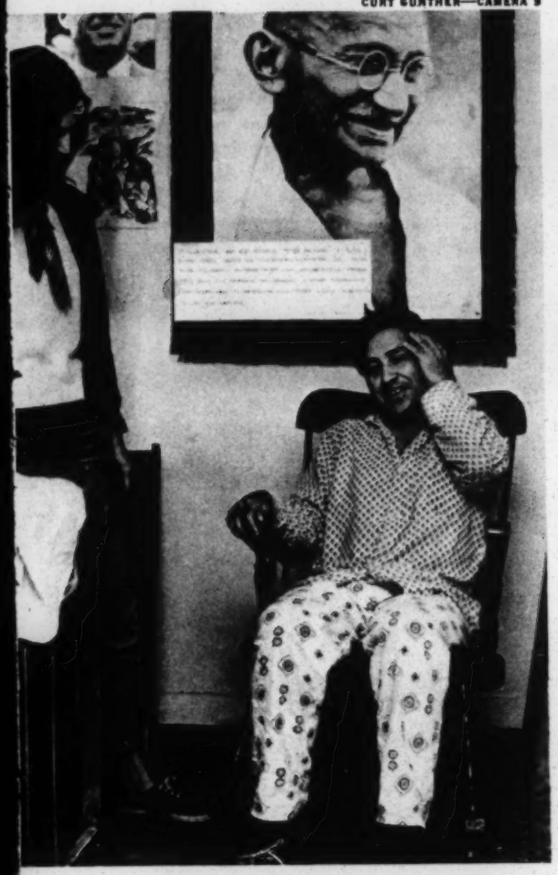
Pachuco: tough guy. Used of teenage Mexican-American boys in gangs. During World War II, dressed in gaudy zoot suits, they were the target of racial violence in Los Angeles and elsewhere.

La Raza: the race, meaning all Mexicans and Mexican Americans, and derived from the mystical theory of the 19th century philosopher, José Vasconcelos, that people of mixed race will inherit the earth. At best, it is a rallying cry betokening a mild form of cultural nationalism; at worst, it connotes outright racism.

Tio Taco: literally "Uncle Taco," the Mexican-American equivalent of an Uncle Tom. An equally contemptuous synonym is *vendido*, sellout.

Wetback: illegal immigrant from Mexico, so called because a common means of entry was to swim the Rio Grande.

CURT GUNTHER—CAMERA 5



CHAVEZ UNDER PHOTO OF GANDHI
Also Zapata, Nehru and King.

have signed; they could be marketed through the chain stores that have refused to handle the produce of struck growers. However, any such confusing procedure is bound to dilute the boycott's effectiveness.

Most of the growers bitterly dispute Chavez's contentions. His claim to represent the workers is false, they say; only 3% of California's grape pickers have joined his union. Chavez has not been able to strip the fields of workers and, they argue, even if he personally preaches nonviolence, his followers do not practice it. Packing sheds have been set afire, foremen threatened, tires slashed. Chavez also has outside help. Long-haired pickets came down from Berkeley in the early days of *la huelga*, and the union gets $14,500 a month in grants from the A.F.L.-C.I.O. and Walter Reuther's United Automobile Workers. By insisting that all workers join his union, moreover, Chavez wants what amounts to a closed shop (which is illegal under the Taft-Hartley Act, but the act does not apply to agricultural workers). This means that, for now at least, Chavez's goal, however unpalatable, is a legal one. Chavez opposes placing farm workers under the National Labor Relations Board precisely because that would make the closed shop he seeks unlawful.

The growers of Delano are difficult to cast as villains. Many are self-made men, Yugoslavs and Italians who came to the valley between 1900 and 1940 with nothing and worked hard to amass enough capital to practice the grape-growing arts they learned in Europe. Most of the Delano spreads are family enterprises, and many of them have had rough going. Costs have risen sharply over the past decade, and grape prices have now begun to decline.

The California growers also pay the second highest agricultural wages in the U.S. (after Hawaii, where unionized workers average $3 an hour).

While they generally belittle the extent of his support, however, the growers have gone to some lengths to counter Chavez's moves. The anti-U.F.W.O.C. campaign even included for a time a group called Mothers Against Chavez. The growers are using the J. Walter Thompson agency to place $400,000 worth of ads extolling the benefits of table grapes. The California public relations firm of Whitaker & Baxter has been retained to advise the growers about how to counter the boycott. Whitaker & Baxter helped to manage Richard Nixon's unsuccessful campaign for governor of California in 1962, and masterminded the American Medical Association's attempt to defeat Medicare.

On $10 a Week

One reason for the lack of comprehension between Chavez and the growers is that each has different concepts of the fundamental issue. The growers see themselves as management in a classic labor dispute, while Chavez and his followers believe that the cause of all Mexican Americans is at stake.

That is what inspires Chavez's devotion to *la causa*. For years he and his wife and eight children have lived jammed into a tiny two-bedroom house in Delano, subsisting on $10 a week from the union and on food from the communal kitchen in nearby union headquarters. Chavez has grown increasingly ascetic. He has given up casual socializing as well as liquor and cigarettes: his idea of a real treat is an eclectic meal of Chinese food, matzohs and diet soda. The fight has become his life. "The days and weeks and months run together," he told TIME Correspondent Robert Anson. "I can't think back to a time when we were not on strike." Nor does he contemplate surrender to the growers. "Either the union will be destroyed," he says, "or they will sign a contract. There's no other alternative."

The use of only peaceful means has been central to his thinking since a 1953 showdown in the San Joaquin Valley between his Mexican-American C.S.O. pickets and a public official. Suddenly, he realized that if there were any violence or serious disorder it would be his responsibility. He began reading Gandhi, and he says now: "If the strike means the blood of one grower or one grower's son, or one worker or one worker's son, then it isn't worth it."

In February 1968, Chavez began a 25-day fast "as an act of penance, recalling workers to the nonviolent roots of their movement." Although he insisted that his decision was essentially a private one, the fast took on a certain circus aura and raised suspicions that its motivation was more theatrical than theological. During the fast, Chavez had to make a court appearance in Bakersfield, on charges of improper picketing, in a case that has yet to come to trial. As he did so, 2,000 farm workers knelt outside in prayer. One woman solemnly asked him if he were indeed a saint. When the fast ended, Senator Robert Kennedy knelt next to him to receive Communion. Some 8,000 others joined them in Delano's Memorial Park for a bread-breaking ceremony.

The fast, and Chavez's years of 12- to 16-hour days, took their toll. Last September he suffered a muscular breakdown in his back—he had been in pain for years before that—and found his legs nearly paralyzed. After spending more than two months in traction, he has now substantially recovered, but is still bedridden much of the time. Instead of spending long hours driving around the state, he receives a constant stream of subordinates at his bedside.

Chavez's religious conviction mingles with the exigencies of the movement. He opposes birth control for his people, but only partly out of conventional Catholicism; he argues that smaller families would diminish the numerical power of the poor. A priest brings him Communion daily. To Correspondent Anson he explained: "God prepares those who have to suffer and take punishment. Otherwise, how could we exist? How could the black man exist? There must be something special. I really think that He looks after us."

Cesar Chavez came to his mission from a background of poverty and prejudice that is a paradigm of that of many *Chicanos*. Like most Mexican

JOHN A. KOUNS

CHAVEZ ENDING FAST AT MASS
Ideas mainly from the encyclicals.

J.R. EYERMAN

GRAPE WORKERS NEAR DELANO

Among the most unpleasant of human occupations.

Americans, he is of mixed Spanish and Indian blood, with liquid brown eyes, deeply bronze skin and thick, jet-black hair. He was born on an 80-acre farm in Arizona's Gila Valley near Yuma, where his parents tried to scratch a living from the arid desert earth. Chavez met racial hostility early in daily rock fights between Anglo and *Chicano* kids at the village school.

The farm failed in the Depression, and when Chavez was ten, the family packed everything it owned into a decrepit automobile and headed across the Colorado River into California. In Oxnard, Chavez's father found work threshing lima beans; when all the beans were harvested, the family took off, looking for other jobs and often turning up just a few days after a crop was in.

Anglos on the Left

That first winter back in Oxnard, with the little money earned in the fields already gone, was the family's worst time. Cesar's brother Richard remembers: "There was this nice lady there, and she had a vacant lot that she let us use. So we put up a tent. It was a very small tent—I guess about 8 by 10. That's all we had. All the family stayed there. And it rained that winter. Oh, it rained. Rain, rain, rain. We had to go to school barefoot. We had no shoes. I can't forget it."

The family lived that winter on beans, tortillas and an occasional potato. Chavez's father sometimes picked peas for 50¢ a day, half of which went to the contractor who drove the workers to the fields in the back of a flatbed truck. There was nothing else to do. By the next spring, the family had learned more of the harvest schedule, and it set off for the first of many years on the circuit familiar to every migrant worker in California. Starting in the Imperial and Coachella valleys of the south, through the state's bulging middle, the San Joaquin Valley, on up north of San Francisco and into the Napa Valley, they worked each crop in its turn: asparagus, grapes, beets, potatoes, beans, plums, apricots—anything that needed picking, hoeing, thinning, leafing, tipping, girdling, digging or pruning.

In 1941, the family moved to Delano, where Chavez met his future wife, Helen Fabela. At the movies with her one night, he had a jarring brush with discrimination. He refused to stay on the right side of the theater, which was reserved for Mexicans, and sat instead with the Anglos on the left. "The assistant manager came," Chavez recalls. "The girl who sold the popcorn came. And the girl with the tickets came. Then the manager came. They tried to pull me up, and I said, 'No, you have to break my arms before I get up.' " Chavez, then 16, was hustled off to the station house for a lecture from the chief of police, but he would not promise not to do the same thing again.

Like many other teen-age Mexican Americans, Chavez became a *pachuco,* affecting a zoot suit with pegged pants, a broad flat hat and a ducktail haircut. Some sociologists now see the *pachuco* movement as the first example of militant separatism among *Chicanos,* an assertion of a distinct identity hostile to Anglo culture. The Anglos took it that way, in any case, and reacted violently: during a series of riots in the Southwest during the summer of 1943, several thousand soldiers, sailors and Marines beat up hundreds of *Chicano* youths. Police promptly arrested some of the victims.

Because of his own experience of poverty and acquaintance with prejudice, Cesar Chavez has made *la causa* more than a labor movement. He is determined to better the lot of all Mexican Americans. There is much room for improvement. There have never been Jim Crow laws against them, like those against blacks, but overt discrimination undeniably exists. *Chicanos* still find it hard to get into the barbershops and public swimming pools of south Texas. Still, though the *Chicano* is set apart by language, assimilation is often easier for him than for the Negro. For this reason, and because most of the *Chicano* population lives in relative obscurity in the *barrios* or rural areas, the Mexican-American community has been slow to develop aggressive leadership.

Now, because they have seen that organized black action gets results, the *Chicanos* have begun to stir with a new militancy. They have formed the Brown Berets, modeled on the Black Panthers, and set up a $2,200,000 Mexican-American Legal Defense and Educational Fund, financed by the Ford Foundation. "We are about ten years behind the Negroes, and we must catch up," says Dr. Daniel Valdes, a Denver behavioral scientist. "But I think we will do it without extreme violence." Lawyer Donald Pacheco puts the plight of the Mexican American more bluntly: "We're the 'nigger' of ten years ago."

If he is a migrant farm worker, the Mexican American has a life expectancy of about 48 years *v.* 70 for the average U.S. resident. The *Chicano* birth rate is double the U.S. average—but so is the rate of infant mortality. More than one-third live below the $3,000-a-year level of family income that federal statisticians define as poverty. Eighty percent of the Mexican-American population is now urban, and most live in the *barrio.*

Forbidden Language

The overwhelming majority work as unskilled or semiskilled labor in factories and packing plants, or in service jobs as maids, waitresses, yard boys and deliverymen. Particularly in Texas, Mexican Americans sometimes get less pay than others for the same work. Even the few who have some education do not escape discrimination. *Chicano* women find that jobs as public contacts at airline ticket counters are rarely open; they are welcome as switchboard operators out of the public eye. Mexican-American men who work in banks are assigned to the less fashionable branches. Promotions come slowly, responsibility hardly ever.

One major impediment to the Mexican American is his Spanish language, because it holds him back in U.S. schools. Mexican Americans average eight years of schooling, two years less than Negroes and a full four years less than whites. Often they are forced to learn English from scratch in the first grade, and the frequent result is that they become not bilingual but nearly

nonlingual. In Texas, 40% of *Chicanos* are considered functionally illiterate. In Los Angeles, only an estimated 25% can speak English fluently. *Chicano* children in some rural areas are still punished for speaking Spanish in school. Only this year, *Chicano* students at Bowie High School in El Paso—in a predominantly Mexican-American section—managed to get a rule abolished that forbade the speaking of Spanish on the school grounds.

The *Chicano* is as vulnerable to mistreatment at the hands of the law as the black. Seven Mexicans were beaten by drunken policemen at a Los Angeles police station on Christmas Eve, 1952; six of the officers were eventually given jail terms. During an 18-month period ending last April, the American Civil Liberties Union received 174 complaints of police abuses from Los Angeles Mexican Americans. Two of the recent landmark Supreme Court decisions limiting police questioning of suspects involved Mexican Americans—*Escobedo* v. *Illinois* and *Miranda* v. *Arizona*. Many Mexicans still look on the Texas Rangers and U.S. border patrols with terror.

Pluralism v. the Melting Pot

That Chavez has dramatized the problems of Mexican Americans in the city as well as on the farm seems beyond dispute. Father Bernardo Kenny, a Sacramento priest with a sizable Mexican-American congregation, believes that even if Chavez never wins his strike he will have made a "tremendous contribution." Says Kenny: "He focused attention on the problem of the farm workers, and he made the Mexican Americans proud to be Mexican Americans. Chavez must be given credit, I think, for really starting the Mexican-American civil rights movement." Ironically, mechanization hastened by unionization may eventually diminish Chavez's farm-labor base—but it will not slow the momentum of *la causa*.

The new Mexican-American militancy has turned up a mixed *piñata* of leaders, some of them significantly more strident than Chavez. In Los Angeles, 20-year-old David Sanchez is "prime minister" of the well-disciplined Brown Berets, who help keep intramural peace in the *barrio* and are setting up a free medical clinic. Some of them also carry machetes and talk tough about the Anglo. Reies Lopez Tijerina, 45, is trying to establish a "Free City State of San Joaquin" for *Chicanos* on historic Spanish land grants in New Mexico; at the moment, while his appeal on an assault conviction is being adjudicated, he is in jail for burning a sign in the Carson National Forest. Denver's Rudolfo ("Corky") Gonzales, 40, an ex-prizefighter, has started a "Crusade for Justice" to make the city's 85,000 Mexican Americans *la causa*-conscious.

As with the blacks, the question for those who lead the *Chicanos* is whether progress means separatism or assimilation. Cal State Professor Rafael Guzman, who helped carry out a four-year Ford Foundation study of Mexican Americans, warns that the *barrio* is potentially as explosive as the black ghetto. He argues for a new pluralism in the U.S. that means something other than forcing minorities into the established Anglo-Saxon mold; each group should be free to develop its own culture while contributing to the whole.

Yet there is no real consensus in the *barrio*. The forces for assimilation are powerful. A young Tucson militant, Salomon Baldenegro, contends: "Our values are just like any Manhattan executive's, but we have a ceiling on our social mobility." While federal programs for bilingual instruction in Mexican-American areas are still inadequate, that kind of approach—if made readily available to all who want it—leaves the choice between separatism and assimilation ultimately to the individual *Chicano* himself. He learns in his father's tongue, but he also learns in English well enough so that language is no longer a barrier; he retains his own culture, but he also knows enough of the majority's rules and ways to compete successfully if he chooses to.

Cesar Chavez has made the *Chicano's* cause well enough known to make that goal possible. While *la huelga* is in some respects a limited battle, it is also symbolic of the Mexican-American's quest for a full role in U.S. society. What happens to Chavez's farm workers will be an omen, for good or ill, of the Mexican-American's future. For the short term, Chavez's most tangible aspiration is to win the fight with the grape growers. If he can succeed in that difficult and uncertain battle, he will doubtless try to expand the movement beyond the vineyards into the entire Mexican-American community.

THE PRESIDENCY

Sporting Life

Americans are one of the world's most sports-conscious people, yet for years they have not had a President who shared that enthusiasm. President Eisenhower's interest was largely confined to golf and John Kennedy's to swimming and sailing. In the Johnson years, the principal sport was hunting ranch deer from a Lincoln Continental. Richard Nixon, by contrast, is an all-round sports enthusiast who not only follows the sports pages with the attention of a Monday morning quarterback, but has learned to relax by attending sports events and by participating in sports as well.

Nixon has already watched the Washington Senators lose three times this year, which sets some kind of attendance record for modern Presidents. He enjoys chatting with the players, which has led a few wags to the conclusion that the White House has better relations with Senators on the field than with Senators on the Hill. Bob Short, owner of the Senators, marvels that Nixon "knows more about baseball than I do. I was amazed to hear him say he'd been following the Senators on his trip to Midway." Nixon and David Eisenhower attend games together and frequently talk baseball. One recent evening, the duo sped out to the stadium, Nixon rushing away from a press conference, David forsaking his bride. The Senators lost, but Nixon was still optimistic about their future.

No Dumb Questions. As Vice President, Nixon once said: "Baseball is a diversion that both stimulates and clears the mind." Yet his interest in the arena does not fade when the World Series ends. He likes hockey, and is the kind

PICTORIAL PARADE

NIXON AT GAME WITH SON-IN-LAW & SHORT
Stimulating and clears the mind.

of fan who practically joins in from his seat. "When he watches a hockey game, he participates as an extrovert would," says Irving Felt, chairman of Madison Square Garden. "Some of the wildest reactions come from people who are not outgoing by nature. Nixon is spontaneous."

Football is another favorite. At a stadium or in front of a television set, the President follows gridiron action closely, often memorizing key plays. Says White House Aide Bud Wilkinson, former University of Oklahoma football coach: "He can recall what happened in the third quarter of a game he saw twelve years ago—and even remember the name of the guy who made the play." When the Redskins kick off in the fall, Nixon is sure to be at Robert F. Kennedy Memorial Stadium rooting them on from the owners' box.

As in baseball, Nixon likes to mingle with the players. Frank Gifford, the sports broadcaster who once played halfback for the Giants, recalls Nixon's days as a New York lawyer: "He is a football nut. He used to come to the dressing room and ask everybody probing questions about the game. When I lived near Yankee Stadium, I used to have people over after the game, maybe a dozen players, and Nixon would come. He didn't ask dumb questions." Sports stars are frequent guests at the White House; Arnold Palmer, Bart Starr and Billy Casper dropped by recently.

In the Blood. Nixon's playing field performance has never quite matched his gusto as a spectator. In college he was a plucky but splinterful tackle. He later proved to be an indifferent golfer. In the '50s he began to do some fishing, and on his first cruise fell overboard twice in a single day. Now Nixon has become an enthusiastic bowler. He bowls frequently while at Camp David, and has blisters to prove it. Recently he rolled a highly respectable line of 204 (his usual score of 150 is not bad for an amateur, either), and he has been bragging about his new high: "That was really great for me. I had five strikes and two spares." He is planning to install a new bowling lane in the White House. The President also swims in the White House pool (unlike L.B.J. and Kennedy, he does not skinny dip) but he prefers the ocean.

In contrast to L.B.J., who preferred speedboating around Lake Lyndon B. Johnson, Nixon cruises aboard the *Julie* practically every day that he is at Key Biscayne. Two weeks ago he brought the second presidential yacht, the *Tricia,* out of dry dock to augment the Navy yacht *Sequoia* on the Potomac. Despite Nixon's love of salt water, he vowed that he would "never ride that" when his daughters gave him a surfboard for Father's Day. But when sport is in a man's blood, who knows? Some day, when the tide is up at San Clemente and the perfect waves start rolling in . . .

DEFENSE LEAGUE AD
Threat breeds counterthreat.

THE CITY

Jewish Vigilantes

They wear blue berets and brandish baseball bats. They profess fear of genocide and want to train their youth for combat. Some have been involved in campus brawls and dustups at political rallies. Last week they ran a $2,790 newspaper ad in New York showing six young men standing before a building with clubs in hand. In an age of Black Panthers, white vigilantes, and apparently millions of armed and angry individuals, there would already seem to be a surfeit of quasi-military partisans. Threat, however, tends to breed counterthreat. Out of the people traditionally identified with the word ghetto has come an unusual group called the Jewish Defense League—whose members posed before a synagogue for last week's ad and called themselves "nice Jewish boys."

The league was started last year by Orthodox Rabbi Meir Kahane, 36, a former lawyer who helps edit an emotional weekly devoted to Jewish affairs and who ministers to the congregation of the Rochdale Village Traditional Synagogue in the New York City borough of Queens. "We see here the beginnings of the 1920s in prewar Germany," warns Kahane. "This is a question of Jewish survival—nothing else." The newspaper ad, which Kahane wrote, declares: "Maybe some people and organizations are too nice. Maybe—just maybe—nice people build their own road to Auschwitz."

What has agitated Kahane and his followers is the rash of anti-Jewish statements made by some extremists, both black and white, during the past year. New York has been particularly tense since the fight over neighborhood control of schools pitted Negro leaders, as well as city hall, against the heavily Jewish teachers' union (TIME cover, Jan. 31). For years, of course, neo-Nazi groups have also been taunting—and provoking—Jews.

Unwanted Protection. The Defense League's response so far has been to picket public meetings, bait Mayor John Lindsay, provide armed escorts for Jewish teachers in slum neighborhoods, and scuffle with Nazi Party members. J.D.L. also sued to reopen the City College of New York this spring after a student demonstration temporarily closed the campus.

In May, 30 members arrived at New York's Temple Emanu-El on Fifth Avenue with clubs and chains in anticipation of a disruptive visit by Black Militant James Forman, who had been demanding "reparations" from white churches. The league intended to bar Forman from entering—despite the temple officials' stated willingness to hear him speak and to listen to his arguments. A showdown was avoided when the black leader failed to appear on schedule. Now the league is planning a nine-week camp program near Woodbourne, N.Y., to train members in such things as the use of karate, the handling of firearms, and the arts and techniques of street-corner debating.

Established Jewish organizations adamantly oppose the league and its adherents.* Says Samuel Dalsimer, national chairman of B'nai B'rith's Anti-Defamation League: "We find the group's paramilitary operations and sensationalist appeals an embarrassment and a potential danger." Rabbi Maurice N. Eisendrath, president of the Union of American Hebrew Congregations, calls the would-be defenders "batmen" and "hoodlums." The league's obvious potential for increasing racial animosity and group hatred and tension is particularly alarming. "We are entering a period when everyone who is for or against something feels he must take the law into his own hands," Eisendrath observes. "For Jews to follow this is to belie our history. A minority such as ours cannot be productive unless it exists in a live-and-let-live condition." Rabbi Kahane replies that his "happiest day" will be the one on which the league can go out of business for want of a mission. Meanwhile, he appears completely serious about going ahead.

* Kahane counts 5,700 followers in 17 cities. A check by TIME correspondents revealed no visible organization except in New York and San Francisco. Estimates by other Jewish organizations suggest that the league has perhaps a thousand members; considerably fewer are available for ultramilitant activities.

TIME

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Envoy Vra

A letter from the PUBLISHER

James R. Shepley

From: BT

Thought you might be interested.

ANY issue that arouses as much passion as the California grape strike, the subject of TIME's cover story this week, inevitably poses a doubly difficult task for journalists. The simplest facts become fogged by rhetoric; rumor and innuendo abound and every source, it seems, has chosen sides. To meet this challenge, TIME's Los Angeles bureau deployed nine correspondents and stringers across the Southwest. For several weeks, they toured the towns and vineyards, traveling thousands of miles and talking to hundreds of people for their report to Writer Keith Johnson and Editor Laurence Barrett.

Los Angeles Bureau Chief Marshall Berges took on the job of providing an overview from the state government and community leaders. Martin Sullivan, recently arrived from Montreal, went into the East Los Angeles *barrios* to distill the Mexican-American way of life—and found the *Chicanos* strikingly similar in mood and plaint to their French-Canadian cousins in Quebec. Sandra Burton observed the importation of "green-card" nonunion workers from Mexico and covered the climax of a 100-mile march between El Centro and Calexico, in which, she reports, the heat hit 120° and blisters "were like merit badges." At the end, when Union Leader Cesar Chavez began to speak, she thought that she had obtained a perfect worm's-eye view amid the swarming crowd by squirming under the flatbed truck that served as a podium—until Texas Senator Ralph Yarborough, standing barefoot a few yards away, started scratching and announced that the grass was infested with chiggers.

In the Coachella Valley and the Delano market center, Susan J. Diamond set out to get the growers' side of the dispute. Most of the time, she could only interview the growers at night, after their 15- or 16-hour day, and she went away suspecting that tempers were short largely because the owners worked such killing hours. Curiously, no one ever offered her a grape.

The assignment of interviewing Chavez himself fell to Robert Anson. Almost immediately, the workers' mistrust of the Anglos was sharply brought home to him. He had arrived in jacket and tie, and an organizer quickly informed him that it would be better to leave the jacket and tie home. "You have to realize," said the man, "that a lot of these people have been exploited by men wearing jackets and ties." "From then on, I wore Levi's," says Anson.

J. R. EYERMAN

ROBERT ANSON IN VINEYARD

The talks with Chavez were held in the back room of a small house near union headquarters in Delano. All interviews were strictly limited to 45 minutes (Chavez spends the rest of every hour exercising his disabled back), and the union leader insisted on talking only about *la causa*, never about himself. Those around Chavez were equally reluctant to discuss him as a man. Says Anson: "For most of them, Chavez is a symbol rather than a person."

The Cover: Oil on canvas by Manuel Gregorio Acosta, 48, a Mexican-born Texan and onetime protégé of Peter Hurd and Andrew Wyeth, who makes his first appearance in TIME.

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Grape Boycott

STRUGGLE IN THE VINEYARDS

by Richard A. Fineberg

Delano, California

THE MILK dispenser at the Filipino Union Hall, the center of the California table grape workers' strike, bears this notice: PLEASE—EACH FAMILY ONE QUART PER DAY. The new limit is taped over instructions which had requested families of strikers drawing milk from the union's central supply to restrict their usage to one-half gallon daily. While belts are being tightened in Delano as the United Farm Workers Organizing Committee (UFWOC) girds itself to continue the strike, union officials tally the effects of their table grape boycott with growing optimism.

Hard times are nothing new to farm workers, nor to those who seek to establish a farm workers' union in central California. From its inception, when Cesar Chavez left Saul Alinsky's Community Service Organization in 1962 to devote his energies to a movement which would express the needs of farm laborers, UFWOC has had to fight hard for everything it has gained. UFWOC has forged nine contracts with wineries and now serves as collective bargaining agent for about 3,000 wine grape pickers. In 1967, UFWOC turned from the vintner to face the toughest challenge it has encountered—California's table grape growers.

The agricultural complex which has rallied around the grape growers to stand off UFWOC constitutes a powerful antagonist. Agribusiness—the name is used by growers and union alike—is California's largest industry. The state markets more than $4 billion worth of produce annually, accounting for some forty per cent of the nation's fruits and vegetables. During peak months nearly 400,000 field laborers harvest the crops grown in California's fertile valleys.

Both innovation and intransigence confront the striking farm workers. Within the next five years the introduction of a machine which promises to harvest wine grapes now picked by hand may obviate the need for labor in the vineyards where the union has

RICHARD A. FINEBERG, a doctoral candidate in government at the Claremont Graduate School, recently studied farm labor problems in the San Joaquin Valley on a grant from the Council for Christian Social Action. During the course of that project he and his research team interviewed more than 400 field workers and conferred with union representatives, growers, and state and Federal officials at various levels.

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New Rows to Hoe

With the Grape Pacts Signed, Cesar Chavez Looks to Other Crops

Melon Growers Next Target In 'La Causa's' Crusade To Unionize Farm Hands

The Bell That Doesn't Toll

7-31-70

By HENRY ELLIOT WEINSTEIN
Staff Reporter of THE WALL STREET JOURNAL

DELANO, Calif. – Cesar Chavez is a 43-year-old Mexican-American who works for $5 a week plus room and board, less than he earned as a youth toiling in the grape and cotton fields of the Southwest. For that scant pay, he has been called everything from "saint" to "Communist" and has had to give up most of his family life with his wife and eight children, a plight he recognizes with much regret.

But his job has carried Cesar Chavez from a Don Quixote-like figure tilting at windmills to a labor hero on the verge of accomplishing the impossible in the annals of U.S. unionism: Organizing the nation's army of farm workers.

For nearly five years, his campaign has raised the wrath of table grape growers, his initial target, and rallied a coalition of Mexican-Americans, Filipinos, housewives, students and clergymen into a social action program that transcended the traditional union drive. Grape growers found themselves not only picketed in the fields but denounced from pulpits, and their products were boycotted throughout the nation. "Chavez is trying to destroy the grape industry and that means destroying the people he's trying to organize," claims John Giumarra, treasurer of the largest grape concern in California, the state that produces 90% of the U.S. crop. "Ultimately he wants to become czar of agriculture in the U.S."

However, on Wednesday Mr. Giumarra signed a contract with Mr. Chavez's United Farm Workers Organizing Committee (UFWOC). His capitulation signified that the five-year-old grape strike and boycott is about to end in a victory for the farm workers union.

A victory hardly seemed possible when Mr. Chavez took over a sputtering strike in late 1965 in the vineyards around this arid town of 15,000, center of a $100 million-a-year grape industry. Until this spring, the UFWOC strike and subsequent boycott appeared headed to the scrap heap along with other agricultural union failures over the past decades. This spring, however, the boycott began to hit growers where it hurt them most, in the pocketbook.

The result: About 75% of the grape growers have signed contracts with UFWOC. The remaining 25% are expected to follow shortly. "It's dawned on everyone in agriculture that unionism has finally come to this industry and there's no sense pretending it will go away. The thing to do is come to the best possible terms," says John Giumarra, Jr., counsel for

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UFWOC's recent success "is a historical development," remarks Don Vial, chairman of the Center for Research at the University of California's Institute of Industrial Relations in Berkeley. "We haven't seen anything the likes of this in agricultural collective bargaining."

Fight With Teamsters

One reason for unions' past problems is that farm labor bargaining has been governed largely by the "law of the jungle," according to Mr. Chavez. When the Wagner Act in 1935 granted labor unions a "bill of rights" and formalized collective bargaining procedures for industry, agricultural workers were specifically excluded. So they have had to establish the right to bargain on their own without benefit of the orderly procedures provided for other industries under the law.

The success of UFWOC in the vineyards appears to have convinced some producers of other farm products that unionization of their workers is inevitable. On Tuesday, the Teamsters union announced it had signed contracts with growers in the Salinas area covering production of most of the nation's lettuce, about half of its celery, carrots and strawberries, and a sizable portion of dozens of other fruit and vegetable crops, including broccoli, cauliflower and potatoes.

Ironically, however, the Teamster announcement caused no joy among UFWOC leaders. UFWOC and the Teamsters have been battling furiously over the right to represent field hands in the Salinas Valley, known as the nation's "salad bowl."

Sen. Murphy's Bill

Some observers have speculated that the signings really were an attempt to head off the growth of UFWOC in the wake of the grape victory. Mr. Chavez referred to the Teamster agreements as "sweet-heart contracts."

The battle with the Teamsters may spur Congress to enact labor legislation for farmworkers. However, the only bill currently pending in Congress is given little chance of passage. Introduced by California Sen. George Murphy, a vociferous opponent of the grape boycott, the "Consumer Agricultural Food Protection Act of 1969" does provide for collective bargaining machinery. But the bill also would outlaw strikes at harvest time (the only effective time to strike, say farm workers) and product boycotts.

Buoyed by the victory in the grape struggle, Mr. Chavez appears calm about the battles that lie ahead. Petting "Boycott," the German shepherd that is his constant companion, Mr. Chavez says there is a simple reason for recent UFWOC successes: Hard work.

"Most of us in the movement get turned off by rhetoric. We're an action movement. We keep moving night and day," says Mr. Chavez. "I'd feel complimented if you called me a fanatic," he says. "The only ones who make things change are fanatics. If you're not a fanatic around here, you can't cut it."

"What's happened here is a miracle," says

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New Rows to Hoe: Cesar Chavez Now Looks to Other Crops

Continued From First Page

Dolores Huerta, 40, UFWOC vice president. "But it didn't come about by magic." One recent morning a reporter saw Mrs. Huerta at 4 a.m. as she was about to depart for a picket line. She had last been seen entering a midnight meeting with Mr. Chavez and Jerry Cohen, a union attorney. "Haven't you had any sleep?" the reporter asked. "No, why spoil the fun," replied Mrs. Huerta, who has a reputation as a "ferocious negotiator."

A Social Movement?

"There's still a long, long struggle," Mr. Chavez cautions. And he makes it clear that the emerging victory in the grape boycott is just the beginning. UFWOC is going after melon growers next, and other major commodities subsequently. Moreover, UFWOC recently signed a contract with Roberts Farms (total 46,000 acres) which not only grows grapes, but is also the world's largest producer of walnuts, almonds, persimmons and canned figs, thus giving the union a substantial wedge into production of those items. Coming in an era of social ferment where UFWOC activities have taken on all the trappings of a civil rights struggle, the potential for large scale farm unionism is now greater than ever.

Certainly for Mr. Chavez, organizing farm workers is not just a union battle; it is a broad social movement that he calls *"La Causa,"* or "The Cause." In addition to its organizing and negotiating activities, the UFWOC runs a hiring hall (which it hopes will eventually phase out the middleman labor contractor in agriculture), a credit union (which will loan a member up to $500 at 1% interest, after he has made an initial investment of $5), a clinic, a cooperative gasoline station and a newspaper.

Sitting in the special rubber-backed rocking chair he uses because of back trouble, Mr. Chavez asserts that broad economic power is the key to uplifting the farm worker. He refers to the boycott as "our most effective nonviolent weapon."

(In his adherence to nonviolence, Mr. Chavez has sometimes been compared to the late Martin Luther King, a man with whom he corresponded but whom he never met. Even Mr. Chavez's bodyguards are unarmed. Some growers aren't convinced of Mr. Chavez's adherence to nonviolent principles, however; some violent attacks on nonstrikers and their cars occurred during the long grape workers dispute, though UFWOC has denied any responsibility for them.)

Plaid Shirt, Levis

To his job as leader of "La Causa," Mr. Chavez brought deep religious conviction (a Roman Catholic, he takes communion every day) and a formal education that stopped at the seventh grade. In his plaid shirt, Levis and work boots, he still is indistinguishable in a crowd from the field hands themselves.

Bob Armington, 62, crew leader at the ranch of John J. Kovacevich in Arvin, about 50 miles south of Delano, says Mr. Chavez's ability to rally farm workers around him was not easily won. "We're very careful about who we look up to as leaders. We've been sold out in the past," says Mr. Armington as he uses a spectrometer to test grapes for sugar content on the first day of the harvest in sweltering 105-degree heat. He refers to Mr. Chavez as "a wonderful man." The reason? "He looks up to poor people."

The "real heroes of the struggle," in Mr. Chavez's view, have been the workers who have gone to urban areas to organize boycotts. Like Mr. Chavez, they are paid $5 a week, plus room and board. Their work is an endless series of meetings at churches, homes and schools, plus the organizing of picket lines and rallies and, of course, discussions with store managers and shoppers. "Waving flags, marches and demonstrations and other things are good and give publicity to the strike, but they are no substitute for convincing people, one by one, not to buy scab grapes," says Larry Itliong, national boycott coordinator and assistant director of UFWOC.

They Don't Understand

One problem at times has been UFWOC's need to control some of its sympathizers who have committed acts of vandalism at supermarkets. "Some people really believe they're helping us by destroying property," says Marcos Munoz, boycott coordinator for New England. "They don't understand how this destroys us."

William Kircher, director of organization for the AFL-CIO, says Mr. Chavez's development of "strong indigenous leadership" has been one of the keys to UFWOC success thus far. Every Friday night the union has a meeting conducted in English and Spanish at Filipino Hall in Delano, and Mr. Chavez attempts to get as many workers as possible to address the members so they will become accustomed to a leadership role.

Mr. Kircher also admires UFWOC's racially-integrated structure, almost a rarity in this era of separatist movements. At first the Filipinos, who constitute a sizable minority of farm laborers, were concerned about being "swallowed up" in the union because there are many more Mexican-Americans, says Mr. Itliong.

Mr. Itliong, 56, headed the AFL-CIO's Agricultural Workers Organizing Committee, which merged with Mr. Chavez's independent National Farm Workers Association to form UFWOC in 1966. Mr. Kircher says Mr. Chavez and Mr. Itliong are "without peer in understanding the need for one class of citizenship in the union structure, without regard to ethnic background."

The Church's Role

Bob McMillen, the UFWOC's lobbyist at the California state legislature, says another facet of the union's strength has been Mr. Chavez's ability to build a coalition of supporters which runs the gamut from George Meany, president of the AFL-CIO, to student activists and Black Panthers. "That's no mean feat," he adds.

Perhaps even more crucial has been the role played by the Catholic Church. The Bishops Committee on Farm Labor has been instrumental in bringing UFWOC and the growers to the bargaining table—something that was once considered impossible. While the Bishops Committee has never formally endorsed the boycott, it has stated unequivocally that farm workers have the right to organize into a union and that they should be included under the National Labor Relations Act and national minimum wage and unemployment insurance programs.

Responding to criticism that the church has been overly zealous in pursuing these goals, Monsignor Roger Mahoney, secretary of the Bishops Committee, says: "Our participation in negotiations has usually been at the invitation of growers, not the union. So many people think the church has tried to push Chavez down on these companies—it's not the case."

Most of the contracts signed by UFWOC provide for a wage of $1.80 an hour, 15 cents above the current state minimum (and in contrast to $1.10 an hour before the strike began); this will be increased to $1.95 in 1971, $2.05 in 1972, and renegotiated thereafter. The contracts also call for incentive payments of 20 cents per box of grapes picked, 10 cents an hour for a health and welfare fund (named after the late Sen. Robert F. Kennedy, who was an ardent supporter of UFWOC and referred to Mr. Chavez as "one of the heroic figures of our time") and two cents a box for a special economic development fund (chiefly for housing elderly field hands who can work no longer).

A New Bell

In addition, jobs will be assigned through the union hiring hall. Formal grievance procedures will be instituted. Strikes will be prohibited during the three-year agreements. Every box of grapes shipped by the signatory company will bear the union label, a black Aztec eagle. And joint union-grower committees will regulate the use of dangerous pesticides, such as DDT and aldrin. Mr. Chavez is quite adamant on the pesticide question. "What's the use of getting your people a good contract if their health isn't protected?" he asks.

Near the end of a reporter's interview with Mr. Chavez, his secretary bursts into his office and says: "It's here. It's here. The bell."

Mr. Chavez walks outside to see "the farm workers" bell contributed by the Whitechapel Foundry in England, where the original Liberty Bell was cast, and driven across country in a panel truck contributed by the United Auto Workers, one of UFWOC's strongest supporters. At present, the bell is chained to prevent it from ringing, a symbol of the "slavery" of farm workers "to poverty and paternalism," Mr. Chavez explains.

The lock on the chain bears the UFWOC's black eagle and is not to be removed until all the grape growers have signed contracts with the union. "This bell is going to start ringing pretty soon," Mr. Chavez comments as he heads back to his office smiling.

Grape Boycott

THE GRAPES

Communist Wrath In Delano

by

Gary Allen

Hiroshima Day

All concerned Friends will meet at the Capitol on the Square at noon on Wednesday, August the 6th. They will fold paper cranes as a symbolic gesture of peace.

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In November 1960, eight members of the Textile Workers Union of America, AFL-CIO, entered the gates of state prisons in North Carolina, victims of what the trade union movement contends was a gross miscarriage of Justice.

The eight had drawn prison terms ranging from two to 10 years for alleged participation in a dynamiting conspiracy at the height of TWUA's strike against hhe Harriet-Hendersnn Textile Mills in Henderson, N.C. Their arrest, conviction and imprisonment should trouble the conscience of free men everywhere, because:

-they were put behind bars solely on the testimony of an "agent provocateur" in the pay of the State bureau of Investigation.

-Although they were arrested while allegedly en route to dynamite the struch mill, police conceded that they had no explosives in their possession, nor was evidence ever offered that they had possessed any explosives.

-The sentences that were imposed had no relation to their alleged involvement in the conspiracy. Rank-and-file who were purported to have plotted the dynamiting with the "agent provocateir" drew the lightest sentences; the union officials who the state conceded were not directly involved in the conspiracy, drew the stiffest penalties.

Among those thrown into prison was Boyd E. Payton, Carolinas Director for TWUA, a Sunday School teacher, and a man highly regarded throughout the South and throughout the labor movement as a gentle and compassionate man.

During his nine months in prison (until ha received a full pardon from Governor Terry Sanford on the day before Sanford left public office) Payton filled several hundred pocket-sized notebooks with his observations on prison life and on the circumstances surrounding his arrest and trial. These notebooks were stored in his prison mattress, and were smuggled out of prison when he obtained his freedom.

From these notes, Payton has written a warm and human stroy, Prejudice Plus Politics Equal Prison, which is scheduled for publication this fall by Dorrance and Company of Philadelphia. This is a book that deserves the thoughtful attention of all students of the American trade union movement. It deserves, as well, the time of those who are disturbed about the abuses of power by the State, and those who search after justice in a world which daily moves away from the ancient beliefs in the dignity of the human being.

Boyd Payton's book will retail for $5 per copy. However, advance prepaid orders may be placed until September 1st at a speiial rate of $4 percopy. Checks should be drawn to the "Payton Book Committee," and should be mailed to Bert Gottlieb, c/o Transportation Institute, Suite 403, 2000 L. Street, N.W., Washington, D.C. 20036.

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PAGINATION INCORRECT

Boycott Grapes

Attached are copies of the articles concerning the nationwide boycott against California table grapes. The Madison Grapes Boycott Committee is an apolitical group of concerned students and Madison residents, headed by Manuel Salas, a former migrant wokker and new director of boycott activities in Wisconsin. The Committee is attempting to provide in-depth information about the boycott for as many Madison residents as possible, that they will have some basis for forming individual decisions on this issue. Because the strike in California is only the focal point of a widespread effort to extend the coverage of the National Labor Relations Act to include agricultural workers, the issues directly affect the 15,000 migrant farm workers expected in Wisconsin this summer, and, by extension, the Wisconsin Residents who have tolerated the substandard working add living conditions which they are still experiencing in our own state.

The Committee hopes that concerned individuals will be willing to volunteer some time to help in their efforts to disseminate information within their neighborhoods. If the boycott effort is to succeed, it will only be because enough consumers express concern directly to their neighborhood grocers or because they announce to their grocers that they feel compelled to shop only in stores which are not selling California green seedless table grapes. If you desire additional copies of the attached information, or if you would like a speaker to lead a gnneral discussion please call Sue Mockridge at 233-9588, or call the office of the Madison Boycott Committee, 306 N.Brooks, telephone 257-8744.

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Friends' Musicale

Any Friends owning an instrument of music or having access to one, as well as music for a small group of chamber orchestra size, are heartily encouraged to come and join the group that has been meeting to play about twice a month since last April. Contact Dave Greene or Salpi Adrouny for further information.

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Grape Boycott

THE DELANO GRAPE STRIKE:

The Farm Workers' Struggle For Self Determination

By: The Rev. Wayne C. Hartmire, Jr., Director, Calif. Migrant Ministry

"When we are really honest with ourselves we must admit that our lives are all that really belong to us. So, it is how we use our lives that determines what kind of men we are. It is my deepest belief that only by giving our lives do we find life. I am convinced that the truest act of courage, the strongest act of manliness is to sacrifice ourselves for others in a totally non-violent struggle for justice. To be a man is to suffer for others. *God help us to be men!"* (*Cesar Chavez*)

"The time has come for farm workers: dignity and a measure of hope through organization and self-determination."
—George Ballis photos

On December 1, 1968, *Prebyterian Life* printed a long article by Mr. Allan Grant entitled "California Grapes and the Boycott - The Growers' Side of the Story." Among other things Mr. Grant implied that farm workers in California are doing reasonably well economically. He also hinted that the leaders of the Union have no real interest in the workers or in social justice. Mr. Grant pieced together a large number of facts and conclusions (some accurate and some not): but he did not deal seriously with the underlying issues of the Delano Grape Strike: 1) Are seasonal farm workers underpaid and mistreated on the job? 2) Would an organization of their own improve conditions? 3) Do farm workers want such an organization; do they want to be represented by Cesar Chavez' UFWOC? 4) Is the agricultural industry opposing the formation of a strong and independent organization of workers? Answers to these questions might help Christians respond to one important *How are we to be servants to the men, women and childen who harvest the crops?*

I would like to talk about the nature of the agricultural industry, conditions in the fields and trace the history of the Delano strike and in so doing try to address the basic human issues involved in the farm worker's

struggle. I will then deal more directly with some other statements made in Mr. Grant's article. I am not writing as a detached student of this struggle. The California Migrant Ministry has been at work in the fields for 25 years. I have known Cesar Chavez for more than 7 years. Our staff has been present from the beginning of the Strike in September 1965. Our concern is for dignity and full life for workers, their families and indeed for all men in the agricultural community. We believe that self-determination for farm workers is one crucial element in a more just and human future. We believe that farm workers must have a strong organization of their own if they are to improve their life situation and we have tried to help them gain the strength needed to bring about that measure of equality that will make possible bargaining with their em-

California's Most Powerful Industry

California agriculture is big business! Gross agricultural income in 1966 was a record $3.95 billion dollars. Since then it has topped four (4) billion dollars.[1] California agriculture and related industries, by their own testimony, account for 33% of the jobs in the state. Farm workers are pressing for change against the determined resistance of the state's most powerful and influential industry.

Agriculture in California has been characterized by large farms, specialized crops, high peak labor needs and a large supply of impoverished farm workers - often from other countries.[2] Although the majority of farmers in California are smaller landowners, the industry is dominated by the largest landowners. The 1964 U.S. Census of Agriculture showed 81,000 farms in California. 49,000 of those farms hire no outside labor. 7% of the farms employ 75% of the labor.[3] 60% of California's farms average less than 50 acres but the total acreage of these small farms is 5% of California's agricultural land.[4] The 1959 U.S. Census of Agriculture showed that 6.0% of California's farms own 75% of the land. Included among those large landowners are So. Pacific Railroad, Standard Oil, J. G. Boswell, Anderson Clayton, Tejon Ranch (L.A. Times), Bank of America and Giumarra Vineyards Corporation. Contrary to Mr. Grant's statements many Delano area growers other than Giumarra have large landholdings in excess of 2,500 acres.[5]

These powerful agricultural landholders and their economic allies dominate the agricultural industry in California. They and their predecessors have resisted unionization since the turn of the century.[6] The farm workers' struggle for organization and bargaining may be focussed today on table grapes but it is in fact a struggle with the will of the entire industry. And as many people in other states have noticed, it is a struggle with agricultural labor users all over

succeed against the resistance of the industry, they must succeed in Delano and in table grapes. If they can gain the right of organizing and bargaining in wine and table grapes then all farm workers may share in the benefits and the dignity of new found organizational strength.

Poverty & Suffering Among Farm Workers

Some may ask: Why is such organizational strength necessary? Are conditions really that bad? "No other segment of our population is so poorly paid yet contributes so much to our Nation's wealth and welfare."[7] So speaks the U.S. Senate Subcomittee on Migratory Labor in its discussion of seasonal farm workers in the U.S.A. But as Mr. Grant implies it may be unfair to lump California farm workers into national conclusions since farm workers in California are paid more than in any other state (excepting Hawaii where farm workers are organized).[8] California's Welfare Study Commission made the following statement in referring to farm workers: "one occupational group *in California* is so deeply locked in poverty that it is set off from all others."[9] Allan Grant quotes the Governor's Advisory Commission on Housing but overlooks the following conclusion of their study: "Fewer than 20 percent of the California farm worker families covered in our study lived in dwellings which could be considered adequate by present standards of health, safety and comfort. Sixty-three percent of the dwelling units occupied by general field workers were dilapidated or deteriorated. For 33 percent of the dwelling units occupied by general field workers, the only toilet facilities were pit privies. Thirty percent of the dwellings had no bathing facilities, and 25 percent lacked even so basic a necessity as a kitchen sink with running water. These conditions, to be discussed in detail in the body of the report, offer little evidence of improvement in the relative economic and social position of the agricultural worker in California. He remains, as he has since the state's early transition to intensive labor use farming, among the most poorly paid, poorly fed, and poorly housed of California's citizens."[10]

It is true that many grape pickers in California earn $1.40 or $1.50 per hour plus an incentive piece rate *during the peak harvest season.* But the peak harvest season lasts only four to six weeks.[11] During the rest of the year wages hover around $1.40 per hour[12] and work is sporadic and uncertain. Even at harvest some employers pay a flat $1.50 per hour[13] and not all workers get steady employment. Mr. Grant quotes the $1.65 minimum wage established by California's Industrial Welfare Commission. He failed to mention that California's grape growers sought to have that minimum wage set aside in court—an expensive legal action that can only be understood in the context of hourly pay under $1.65 per hour. The $1.65 State minimum is for women only. Men are covered by the federal law but at a discriminatory level: $1.30 per hour as compared to $1.60 per hour for other workers. According to an independent study done for the University of California, the average grape worker in Kern County (where Delano is located) is employed 119 days out of the year. Full employment would be somewhere near 250 days.[14] His *annual* income is comparable to the average for all seasonal farm workers in California: $2,024.[15] To make matters worse, the gap between farm workers and other workers is widening. In 1948, the average California farm worker earned 62% of the hourly wage of his counterpart in manufacturing. In 1965, average farm worker earnings were 46% of the wage earned by the average worker in manufacturing.[16] Farm workers in California are poverty-stricken; real human suffering results from that poverty. Those who doubt the reality of that suffering need to spend some time in the barrios and rural fringe communities of our state.

Powerlessness

Annual income is only one aspect of the farm workers problem. They are relatively powerless on the job and in the life of the community. As a result, farm workers are excluded from unemployment insurance, and collective bargaining legislation. Mr. Grant affirms the protections farm workers have in California but enforcement of the laws that do cover farm workers in California is at best weak and inconsistent.[17] The California Rural Legal Assistance program, led by attorneys, has been investigating the enforcement of laws that are supposed to protect farm workers. In a preliminary report they noted 1,8[illegible] violations of state health [illegible]tation laws. Over 90% of the farmers in one county were in violation of state health laws.[18] In another county they determined that only 14 of 139 farmers surveyed provided toilets for their workers and that only two of the 14 did so in compliance with health standards.[19] Even Governor Ronald Reagan has recently called for more effective enforcement of laws that are on the books to protect California's farm workers (in the same statement he opposed unemployment insurance for seasonal farm workers and the extension of the National Labor Relations Act (NLRA) to agriculture).[20]

California farmers are not especially cruel or corrupt. They are men like us who happen to have too much power over the lives of their workers. They have become accustomed to an over-supply of poor and unorganized workers which has allowed them to control all the important decisions about wages and working conditions. Being human, they have paid more attention to their own economic interests than to the interests of the workers. As a result workers in agriculture have been denied the improved wages and working conditions that are commonplace in industry.[21] The vast majority of farm workers in California do not have contracts; they do not get overtime pay; too often they do not even know their rate of pay while they are working; there are no holidays or vacations with pay; they do not have health or pension plans; in many instances they must provide their own tools & equipment; safety provisions are minimal; there are no

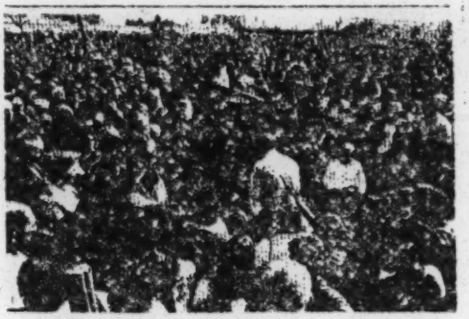
regular rest periods; toilets and sanitary drinking water may or may not be provided. Farm workers go to work not knowing how long the day will be or how many days of work there will be in that week. Workers are laid off in the middle of the day, in the middle of the week, for days or weeks at a time with no notice and no clear indication of when work will be available. If a male worker is told to show up for work at 6 A.M. and the equipment is not ready or the trees are wet and he does not work until 10 A.M., he is not paid for those 4 hours. Speed-ups and abusive supervision are all too common. Farm workers can be fired at any time without explanation. There are no established channels for grievances. The many who will dispute these realities can point to examples of better wages and working conditions but their examples do not represent the experiences of the majority of unorganized farm workers in California and the U.S.A. The farm workers' powerlessness on the job crushes his dignity and leaves him no alternative but resentment and suffering. Justice demands that there be a change—for the sake of workers, the industry and the larger community.

Change Through Organization

But how will that change come about? Should workers wait for their employers to make the needed changes? In California they have already been waiting for 100 years. Should they wait for Congress to pass legislation that will protect their right to bargain with their employers? All farm workers in our country have now been waiting 33 years for that day.[22] Workers could leave agriculture. But what would be the alternatives in the city for a man with farm labor skills?

In 1962 Cesar Chavez made a decision to do something about the conditions of farm workers. He left his job as an organizer for the Commu- [illegible] his wife and 8 children lived on their minimal savings and on sporadic field work earnings while Cesar began to build a self-supporting organization of farm workers that would in time be strong enough to bargain with employers for improved wages and working conditions. By September 1965, the NFWA had about 2,000 family members, nearly half of them in the Delano area. There was a credit union and a death benefit insurance plan tied to the $3.50 per month dues.[23]

Allan Grant who is the highly paid professional spokesman for a four billion dollar a year industry[24] implies that Chavez is a money and power hungry labor professional. Cesar Chavez *is* an experienced and skilled organizer. He is also a dedicated Christian who is pouring out the substance of his life in an effort to achieve a new kind of dignity for workers. After 16 years as an organizer he lives in a small, four-room house in Delano. He does not own a car. Since the strike began in 1965 he has received no salary. He and his family live like all of the Delano strikers; $5.00 per week spending money, food from the strike kitchen or store and basic bills, e.g., rent and utilities paid by the Union.



"Farm workers and supporters gather to break bread with Cesar Chavez at conclusion of his 25 day fast for non-violence"
—George Ballis photo

In September 1965, the now famous Delano Grape Strike began. It was at first a joint effort by the Agricultural Workers Organizing Committee (AWOC) of the AFL-CIO and the [illegible] ganizations have now merged into the UFWOC of the AFL-CIO, with Cesar Chavez as director. As a result of the Delano strike and the several boycotts that have accompanied the strike, there have been union representation elections, bargaining and contracts with 10 wine grape growers. The aspirations and the organizational energies of the workers are now focussed on table grape growers.

In May and June of 1967, UFWOC carried on an organizing campaign among the workers of Giumarra Vineyards Corporation (12,500 acres, approximately half of the acreage in table grapes). In June, UFWOC sent a registered letter to Giumarra stating that the Union represented Giumarra's workers and asking for a meeting to discuss a union representation election. The Company did not respond. The Union then sent a telegram, asked the State Conciliation Service to arrange a meeting, and through other independent parties tried to get a meeting with the Company. The Company refused. *Note* that the workers were not asking for recognition or for immediate bargaining. They were only asking for a meeting to discuss fair procedures for a secret ballot election that would determine the will of the workers. The Company would not even discuss such an election and since that time has resisted all mediation efforts by church groups and others.

This same offer to discuss election procedures has been made to all table grape growers in California - large and small. Without a single exception (so far) table grape growers have refused to meet with representatives of organized workers to discuss elections or other issues having to do with representation and bargaining. In Jan. 1969 UFWOC offered to meet with employers even if there were only one agenda item: the effects of chemical pesticides on workers.

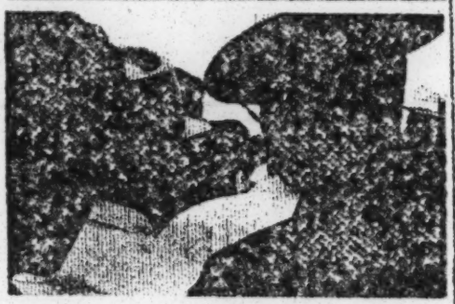
On August 3, 1967, after two months of trying to meet with Giumarra a strike was called by UFWOC [illegible]

The Company began recruiting strikebreakers from Mexico and elsewhere and the struggle was on. The boycott against Giumarra's grapes began in the fall of 1967. Other growers loaned their labels to Giumarra to help him minimize the pressure of the boycott. In the spring and summer of 1968, the strike spread to Coachella Valley and southern Kern County. There are now 42 strikes certified by the U.S. Dept. of Labor. Also in the spring and summer of 1968, as mentioned above, the offer for elections was made to all table grape growers. In the face of the unified resistance of the industry to any conversations with organized workers, the boycott was expanded to include all California table grapes. Church groups, unions and public officials all over the country have given their support to the boycott.

The hard reality is that the workers need and want organization and collective bargaining and their employers are resisting this change with all the considerable power at their command.[25] The industry is attempting to cloud that reality by talking about "outsiders" and "labor professionals" and by stating that the "real workers" don't want Chavez and UFWOC. But who are the "real workers"? Mrs. Josephine Gabaldon (mentioned by Grant as a "real worker" opposed to Chavez) is not a field worker but a crew boss. Jose Mendoza (also mentioned by Grant) is a shoe salesman hired by the National Right-to-Work Committee to represent himself as a worker and to spread anti-union propaganda. He makes speeches all over the country but has no solid organizational base at home, no following among farm workers and is just the most recent example of the willingness of some minority people to sell themselves to the very forces that keep their brothers poor and powerless.

Do Workers Want a

Why then don't employers agree to fair elections supervised by a neutral party so the workers can vote their will? Employers argue that they know what their workers want and don't feel the need for an election. But if they are so sure why not have an election and thus destroy the effectiveness of the boycott? And how can they be so sure since workers have voted for the union every time they have had a chance? In the three secret ballot elections and the five card check elections held to date, the workers have *in every case* voted to be represented by UFWOC.[26] These elections are the only hard, public evidence we have that indicates the will of the workers. Perhaps grape growers *do* know the will of their workers and are, for that reason, resisting the only fair and free way of determining that will.



Cesar Chavez and the workers: "We have something the rich do not own. We have our own bodies and spirits and the justice of our cause as our weapons."
—George Ballis photo

I will conclude with comments on some of Mr. Grant's "facts and conclusions" that have not been dealt with above:

1) Mr. Grant claims that "it was not local farm workers who were picketing" (in 1965 and 1966). The striking farm workers have asked for and received help from church groups, civil rights groups, unions and others. They do not apologize for that nor do we think that anyone is an "outsider" to the problem. But to state that the picket line was composed of or dominated by non-farm workers is a complete distor- farm workers walk out of the fields and develop roving picket lines to communicate the Huelga (strike) message to other workers.

2) Mr. Grant states the "90% of the more than 5,000 pickers hired at the peak of the harvest in Delano are residents of the area." He documents this by referring to a booklet published by The South Central Farmer's Committee - a Committee composed of struck Delano growers. Independent research carried on before the Delano strike indicates that approximately 60% of the grape harvest workers in Kern County are migrants.[27] Almost the full 100% of the harvest work force are seasonal workers-as opposed to year-round hired hands. Whether migrant or local, seasonal workers are locked in the same poverty, have similar aspirations for their children and have the same need for organizational strength and the protections of a contract.

3) Mr. Grant says the harvest season lasts for four months and that grape pickers can work almost all year-round. Dept. of Employment figures show that the labor *needs* in Kern County (where Delano is located) fluctuate greatly even during the harvest period:[28]

December 2, 1967	200 workers	(harvest)
Dec. 18, 1967—Jan. 27, 1968	3200 workers	(pruning)
February 24, 1968	400 workers	(pruning)
March 30, 1968	0	
May 13—June 1, 1968	3500 workers	(thinning)
July 13, 1968	800 workers	(thinning)
Aug. 7—Sept. 2, 1968	6000 workers	(harvest)
Sept. 21, 1968	1500 workers	(harvest)
November 23, 1968	50 workers	(harvest)

cal) have long periods of unemployment and underemployment. As stated earlier the average grape picker who works regularly in the grapes in Kern County gets 119 days of work per year.

4) Allan Grant contends that there is no strike in the grapes and that the Union does not represent the workers. It is *the classic argument* used by employers who oppose the unionization of their workers. How can employers in an unorganized industry know the deeply held convictions of their workers? How can the public know the will of workers when employers refuse to allow elections?

The grapes *are* being picked. It is slow and expensive but growers have been willing to pay the cost of recruiting strikebreakers from Mexico and the Southwest rather than to discuss issues with their original employees. Can it be said that there is no strike just because there are too many hungry people in the U.S. and Mexico – some of whom are willing even to be strikebreakers in order to meet the basic needs of their families?

Mr. Grant quotes UFWOC membership figures as an indication that Chavez is a failure. He fails to mention that these are family memberships and that many families include 2-3 workers. He also compares these membership figures with the total number of farm workers in California when the UFWOC organizing drive has been mainly limited to grape workers since the strike began in September 1965. (California agriculture produces more than 200 commercial crops.) I freely acknowledge that more farm workers need to be reached by the organizing struggle. My conclusion from that is that the strikers need more help: more food, money and volunteer assistance—more help so they can win the strike *and* reach out to workers in other crops. It is ironic that growers point to slow progress in gaining members & contracts. It is *their* own unified resistance to reasonable social change and a more just future that makes the struggle so slow and so difficult for all parties. It is their unified refusal even to discuss elections that makes the boycott necessary.

Problems of Small Farmers

5) Mr. Grant points to the cost-price squeeze that is affecting many farmers. The vast majority of churchmen and farm workers empathize with the plight of the small farmer. However, it must be pointed out that most workers in California are employed by large commercial farms (see earlier figures in this article). It must also be said that even the hard pressed small farmer is not in the same economic position as the worker. The farmer can sell his land; he also has credit at the bank; normally he has an established place in community life and access to the decisionmaking process. Humanly speaking, the plight of the worker still demands priority attention.

Farm workers, although in sympathy with small farmers (who tend also to be laborers), are now saying: "we will not tolerate any longer a situation where your survival in business is purchased by our poverty and the poverty of our children." With concerned churchmen the workers would press small farmers to organize themselves for effective collective bargaining at the market place. Ralph Kittelson, the National Organizing Director for the National Farmers Organization (NFO) has said that farmers must stand up for their rights or the problems will grow.[29] He and the NFO are organizing farmers not to oppose the legitimate aspirations of the workers but for effective use of power in the marketing of their products. The NFO is now active in California. In the CMM we have argued that if farmers would organize for the sake of a fair price at the market place and would articulate their demands and their strategy, churchmen would support their efforts. This, after all, is what the workers are trying to do—help themselves through the strength of their own organization.

6) Mr. Grant quotes with satisfaction the anti-strike conclusions of Vancouver Mayor Thomas J. Campbell. However, Mayor Campbell is an exception to the general rule. Starting as far back as December 1965, distinguished visitors to Delano have generally supported the reasonable demands of the workers, even when their travel expenses have been paid for by the growers or the chain stores. Two (2) Minneapolis—St. Paul clergymen Father Edward Flahavan & the Rev. Wm. Merriman, sent by the chain stores in their area to become "weekend experts" on the growers side of the strike insisted on examining all sides and returned home to testify that the Calif. grape growers were anti-union and racist in their attitude toward workers. An editorial in the St. Paul Dispatch Pioneer Press then accused the ministers of being "overnight experts" (i.e., the wrong kind of overnight expert).

A three man Fact-Finding Committee from Toronto composed of Mr. Ron Haggart, a reporter for the Toronto Telegram Reporter; Mr. Wm. Archer, former City Controller and the Rev. Edgar File of the United Church of Canada carefully spent blocks of time with growers, workers, union leaders and public officials. They concluded that "the over-riding issue in the California grape dispute is the right of collective bargaining which is being denied to the farm workers. From our examination it is clear that the table grape growers are unwilling to allow their workers to choose their own representatives and let them bargain freely for themselves. . . . we are satisfied that the UFWOC has substantial support among the vineyard workers in the Delano area."[30]

Rabbis Jacob Lantz and Judea Miller of Boston spent a week in California examining all sides of the grape controversy. They concluded that the strike was both real and legitimate and called on their constituents to support the farm workers. Rabbi Miller in a report to his congregation made

the following comments: ". . . we toured the vineyards, spoke to growers and farm workers, to representatives of industry and of the Union, including Cesar Chavez. It is our conclusion that there definitely is a strike there . . . Despite contentions by the growers that the conditions of the farm workers in that region are better than those in other regions in the nation, still the conditions that we did find were wretched. We have studied the entire situation and find this to be a moral question. The exploitation and dehumanization of other human beings for the sake of profit is a religious issue."[31]

Non-Violent Social Change

Many churchmen sympathize with the plight of the workers but balk at unions and boycotts. They worry about strikes at harvest; but UFWOC has agreed to no-strike clauses in all its ten contracts. They are concerned about the ability of the Union to service the contracts; but the wine growers under contract have testified to the integrity and sense of responsibility demonstrated by UFWOC.[32] As fellow Christians I urge you to put yourselves in the workers' place. How can they change unjust conditions without organizing and pressing their demands? What else *is* a union than an organization of farm workers seeking changes through collective bargaining? They have asked their employers to discuss representation elections and been refused. They cannot call on the legal machinery of the NLRB because the law excludes them. Having sought changes through discussion and negotiation and been rebuked, what alternative do they have other than to apply pressure through strike and boycott? The workers are asking for a reasonable thing: collective bargaining. They are pressing their demands *non-violently*.

What will happen if farm workers do not get support from men of good will? Fresno Mayor Floyd Hyde is worried: "We have left the poor people of the (San Joaquin) Valley no alternative and there are growing signs they realize it. We are pushing them toward violence."[33] But Cesar Chavez is determined to liberate his brothers without resorting to violence: "one drop of human blood is worth more than all the contracts. We'll use strikes and we'll use boycotts to get recognition, but we'll wait as long as we must to get contracts without violence."[34]

Will militant non-violence succeed in bringing a measure of justice to the "factories in the fields?" Can Cesar Chavez and the pioneer farm workers with him maintain the momentum of their struggle and expand the dignity and raise the hopes of farm workers throughout the nation? The answer depends very much on what churches and churchmen do. Farm workers need our concrete help. With the rest of the world they are calling on us to be servants.

FOOTNOTES

1) New York times Magazine Section, Nov. 17, 1968, p. 34 (article by Dick Meister)
2) "Calif. Farm Labor Problems", Part 1, Report of Calif. State Senate Fact Finding Committee on Labor & Welfare. 1961, pp. 13-16.
3) Los Angeles Times, Sunday, Nov. 17, 1968 (article by Leonard Greenwood)
4) Howard Gregor, "The Plantation in California" *The Professional Geographer* Vol. 14, March 1962.
5) e.g., Bianco, 6795 acres: W. B. Camp, 4908; Divizich, 5500; Elmco Vineyards, 3610; D.M. Steele, 4187; Marko Zaninovich, 3686. Just under 2500 acres: Milo Caratan, 2183; Pandol & Sons, 2288; A. & N. Zaninovich, 2283, V. B. Zaninovich, 2157. Statistics from Assessors Records — Kern and Tulare Counties, Agricultural Conservation and Stabilization Service Croplane Figures, 1959 U.S. Census of Agriculture.
6) "California Farm Labor Problems" op. cit, pp. 200-205.
7) "The Migratory Farm Labor Problem in the U.S."—1968 Report of the Committee on Labor & Public Welfare, U.S. Senate, made by the Subcommittee on Migratory Labor, February 19, 1968, p. 27.
8) It is not as unfair as California farmers contend. Farm labor organizing all over the country depends on success in California. The aspirations of workers in Michigan, New York, etc. are tied to UFWOC's efforts in the grapes.
9) Welfare Study Commission Report—The Pattern of Dependent Poverty in California March 1963, p.370.
10) Appendix to the Report on Housing in California - Governor's Advisory Commission on Housing Problems, April 1963, p.656.
11) Calif. Dept. of Employment: Weekly Farm Labor Report, 881A, #1184, August 3, 1968.
12) Los Angeles Times, op.cit. (article by Greenwood)
13) Calif. Dept. of Employment: Weekly Farm Labor Report, 881A, #1191, September 21, 1968, also #1193, October 5, 1968; #1195, October 19, 1968, etc.
14) William H. Metzler - Technologi Change & Farm Labor Use, Kern Cour Calif. 1961 (Giannini Foundation 19(Berkeley) Part 11, p.27.
15) Calif. Dept. of Employment, Disabil Insurance Report #835, parts 5a. 5b, 5d, 1967.
16) U.S. Dept. of Agricultural, Human R source Division; U.S. Dept. of Lab Bulletin #1370-5.
17) For a national perspective see "Migr tory Farm Labor Problem in the U.S op.cit,p.37.
18) Los Angeles Times, Monday, July 1968, Part 1, p.3.
19) *California Farmer*, May 18, 1968 (arr cle by Don Razee)
20) Los Angeles Times, Wednesday, Decem ber 4, 1968 (article by Jerry Gillam)
21) These conditions are not universa There are some employers who are un usually sensitive to the needs of the workers. But the conditions describe are the natural result of too much em ployer power and they are the conditio experienced by the vast majority o workers in California and in the na tion.
22) Agriculture is specifically excluded fro our nation's basic collective bargainin legislation (the NLRA) which was firs passed in 1935.
23) The staff of the CMM watched th development firsthand. This is not hea say.
24) Mr. Grant is the full-time paid execu tive officer of the California Farm Bureau Federation.
25) Farm News: The Voice of Kern County Agriculture, October 23, 1968 (article by Bill Mead)
26) Results of the secret ballot elections (procedures and supervising body agreed to by workers and employers: DiGiorgio (Delano & Borrego) UFWOC, 530; other unions (Teamsters), 331; no Unions, 12; —DiGiorgio (Arvin) UFWOC, 283; other Unions, 0; no Unions, 199; Goldberg (Delano) UFWOC, 285; other Unions, 0; no Unions 38.)
27) William H. Metzler "Farm Mechanization & Labor Stabilization", Part 1, pp. 38, 40 90; Part II, p.46.
28) Figures taken from Weekly Farm Labor Report, 881A for the dates indicated.
29) Los Angeles Times, op.cit. (article by Greenwood)
30) Presentation by the Fact Finding Committee to the Mayor and City Council of Toronto. November 20, 1968.
31) Temple Tifereth Israel Bulletin (Boston Mass.), November 12, 1968.
32) Los Angeles Times, Monday, December 16, 1968 (article by Harry Bernstein) A few quotes from this article: "representatives of Schenley Industries & DiGiorgio Fruit Corporation said relations with the Union (UFWOC) have been remarkably good. (George Morrison of Almaden said): "Our contracts have increased labor costs but we're not hurt. It is unfair to say this is not a responsible Union."
33) Los Angeles Times (article by Greenwood) op.cit.
34) Ibid.

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FEBRUARY, 1969

Hope Boycott — Atlanta

Dary Olsen — 753-2686

file

Automation Foundation sponsors

Training [1967?]

Job training clearinghouse

Kheel

AFL-CIO News

A center that will distribute information and help develop job training programs is being set up in New York City under the sponsorship of the American Foundation on Automation & Employment.

The foundation is a joint union-management operation of which IAM President Roy Siemiller is a co-chairman.

The center will include a library with up-to-date material on technology and automation and their effects on workers, industry, the community and the nation, and will provide space for companies to display and demonstrate training equipment.

The program also includes the organization of a council which will act as a clearinghouse for the exchange of information on job-training programs by organized labor, industry and the government.

Theodore W. Kheel, nationally-known labor mediator and executive secretary of the foundation, described the center as the first effort to coordinate in one place the information on job training labor and management have developed through studies and experience, to provide a center for dissemination of such information and to stimulate further developments.

Better training programs to upgrade the unskilled are a major weapon in the war on poverty, Kheel said. He stressed, in addition, their importance in preparing members of minority groups to take their places in industry, in meeting the growing demand for skilled workers and in boosting production.

"Today a man with a skill is in command of his destiny," he said. "A man without a skill is a beggar."

The center will do no direct teaching or training, but the foundation already has moved in that direction.

The foundation and the U.S. Bureau of Apprenticeship & Training recently signed a contract under which the latter is establishing a program to train 5,000 employed workers for hig[illegible] their exist[illegible]

Training — Louisiana
[1966?]

SPECIAL EXTENSION CENTERS

INSTITUTE OF HUMAN RELATIONS
LOYOLA UNIVERSITY

SPONSORING INSTITUTION - The Institute of Human Relations of Loyola University was founded in 1947 as the "Institute of Industrial Relations." In 1964, the title was changed to more adequately reflect the expanding nature of Institute activities.

Currently, the Institute provides programs of Leadership Training for the youth of Central America, Panama and the Dominican Republic through the Inter-American Center. The Labor Management Center sponsors programs of adult education designed for members of both labor and management. Opportunities for individuals to raise economic levels and sharpen old skills or acquire new ones are provided through programs such as Special Extension Education.

The objective which guides all Institute endeavors is "to make the dignity of man the heart of economic efficiency."

THE PROJECT - Special Extension Education is designed to provide education and vocational training for 150 men and women in four Louisiana parishes. An experimental and demonstration program funded by the U. S. Departments of Labor and of Health, Education and Welfare, the project aspires to provide trainees with tangible and marketable skills and acquire and document information concerning the effectiveness of modern training techniques.

SCOPE - Equip 90 trainees with secretarial and clerical skills, including English and efficient office practice; provide basic education and vocational training in equipment operation and maintenance for 60 functional illiterates from rural areas .....

Develop and provide guidance enabling trainees to successfully fulfill employer needs.

OBJECTIVE - Through the implementation of specially designed accelerated teaching techniques, prepare individuals to assume contributing functions within the present day labor force. Indirectly, such programs contribute to community growth and stability.

COMMUNITY SUPPORT - The Special Extension Center Program (as well as similar programs throughout the country) has received support from civic leaders, industry, the clergy, educators and agencies concerned with unemployment and its side effects.

Advice and assistance of local leadership are enlisted. Community Advisory Boards will provide discussions of procedures, policies and other program concerns. The Louisiana Division of Employment Security assists with several phases of the program, as does the Louisiana Department of Education.

TRAINING CENTERS -

(1) KENNER SPECIAL EXTENSION CENTER FOR SECRETARIAL TRAINING
Six months intensive training for 30 trainees
March through September, 1966
1001 Moisant Street, Kenner, Louisiana

(2) ST. TAMMANY SPECIAL EXTENSION CENTER FOR SECRETARIAL TRAINING
Six months intensive training for 60 trainees
May through November, 1966
2220 Carey Street, Slidell, Louisiana

(3) GRAMERCY SPECIAL EXTENSION CENTER - EQUIPMENT OPERATION AND MAINTENANCE: BASIC EDUCATION
Six months intensive training for 60 trainees
May through November, 1966
Post Office Box 433, Gramercy, Louisiana

SUPPORTING SERVICES - The project staff provides thorough personal and vocational counseling as well as testing services and job placement assistance.

~~Jerry~~ Gerald Siefken

LABOR Program - Publicity

SERIOUS FACES — The sessions started early and often lasted late. These organizers are E. W. Hostetler, Milford Allen, Burl Robinson, Hutson Parker, Jerry Tucker, and Horace Boan.

Southeastern News - Jan-Feb 1960

Organizers Meet In Atlanta

The first week in January, the Southeast's organizing staff attended a meeting in Atlanta just for organizers which most said was the best conference they had ever been to. They heard lectures and talked to each other about labor law, organizing techniques, the ILG contract, and special problems of the South.

Alabama Organizer Alice York said," It was the best I ever attended. The organizers had a chance to talk, and it was all about *our* problems. I think everybody enjoyed it."

"Using the Law to Organize"

The biggest part of the week was spent with the two lawyer-teachers, ILG Associate General Counsel Julius Topol and Southeastern Counsel Jack Handler.

covering about 700 workers, in Tenn., have contracts now, three it the new contracts and nego-

Officially, Topol and Handler talked about "Using the Law to Organize," but they mostly covered ways employers break the law to prevent organizing. In the hope that organizers who know the law can better protect the workers, the lawyers went into detail about what makes an employer's action legally an unfair labor practice.

Topol told them, "We didn't come to make lawyers out of you, but we want you to know what you can do and what you can't."

The meetings stimulated the organizers to go on talking, outside of the regular sessions, about the issues raised during the day. Many argued about the role of lawyers in a labor union.

Most regretted the necessity for turning to the Labor Board with charges of unfair labor practices and for using legal tactics to organize. One organizer said, "If the workers are strong and enough of them really want a union, they don't need lawyers to tell them what to do, and if they aren't strong, the lawyers can't organize them."

But most of them were eager to learn how the law can protect the workers against an employer's illegal conduct. The argument was whether Labor Board orders, recommendations and decisions really protect the workers. One conclusion was that we need speedy law enforcement with real teeth in it and therefore we should press Congress for revisions of the law.

The Face of the South

The ILG borrowed Emory Via, director of the Labor Program of the Southern Regional Council, to talk to the organizers about the special problems of the South and how they affect the Labor Movement and the organizer. He traced the economic history of the South and discussed the Civil Rights "revolution." He said "democracy requires a settlement" of the country's race problems. "Job security for everybody will do more to ease tensions than almost anything else."

HISTORY — Labor Economist Emory Via talked to the organizers about the South.

Organizing Techniques

To teach organizing techniques, the Region used its own people and asked organizers from other unions, the Teamsters and the Amalgamated Clothing Workers, to come to exchange ideas. Saul Nesselroth, from the ILG's Education Department, and Benny Dansavage and Nick Bonanno taught sessions about organizing techniques and the use of leaflets.

These sessions also aroused a lot of discussion among the staff. Some of the organizers proposed new techniques and whole new approaches to organizing.

Southeast Assistant Director

(Continued on page 3)

Organizers Studied Law, Techniques, South, The Industry

(Continued from page 1)
Nick Bonanno said, "In an industry where the non-union shops are such a drag on the wages and conditions of union members, the most important people in the Union are the organizers who are out day and night riding the highways, knocking on doors, and picketing plants to bring the benefits of the Union contract to unorganized workers."

The Contract

Martin Morand, Regional Director, went through the standard ILG contract so the organizers would know the remedies the Union offers to the problems of unorganized workers. He also explained, for the benefit of staff recruited from other unions, the problems caused by the special nature of the garment industry.

ILG LAWYERS—Regional Counsel Jack Handler and Associate General Counsel Julius Topol stirred the Southeast's organizers to unprecedented thought and discussion, made January conference "the best we've had."

Attitude of an Organizer

Saul Nesselroth, who planned and directed the conference, wrapping it up at the end of the week, told the organizers that the most important quality they could have was one he didn't know how to teach: attitude. "It's hard to teach an organizer to hate exploitation and to want to do a good job for the operator, but he has to feel that way to be successful. He should have the kind of makeup where he gets almost sick every time he passes a non-union plant."

Not only were the organizers pleased with the conference and the teachers, but the teachers were pleased with them. Nesselroth, Handler, and Topol all expressed real satisfaction and pleasure at the dedication and interest of the organizing staff and at their response to the classes.

SOUTHEAST GOES TO SCHOOL — Anna Rousey, Bill Andrews, and Lolita Matamoros were among about 30 organizers who studied labor law and organizing techniques at conference in Atlanta.

Unionists Gather in Athens For Labor Studies of South

By MARY HUTCHERSON
Atlanta Journal Correspondent

ATHENS, Ga., Jan. 22—During the month of January a group of 21 trade unionists, a group intimately concerned with the progress of the labor movement in the South, is engaged in a program of intensive study which possibly could have far-reaching effects in the southern labor picture.

The men, representing a dozen southern states and ranging in age from 23 to 62, are all participants in the Southern Union Staff Institute, sponsored by the National Institute of Labor Education in cooperation with the AFL-CIO, now in session at the Center for Continuing Education at the University of Georgia.

ACCORDING to George Guernsey, associate director of AFL-CIO Department of Education, Washington, and codirector of the Institute, the 21 participants represent 14 international trade unions. All are fulltime union men — organizers, business agents, service representatives — and their attendance at the NILE-sponsored institute is paid for by the various unions.

For six or seven hours a day, the men attend lectures, seminars, and discussions that range from southern labor history to civil rights to development of rapid reading skills.

INSTITUTE DIRECTOR, Dr. Emory F. Via, director of the labor program for the Southern Regional Council in Atlanta, explained that the institute objectives are, in general, to help the participants better their understanding of their society and of the various problems in the South and through this understanding to help them function more effectively.

And Mr. Guernsey added: "I think the labor movement is slowly recognizing that people need to be trained for this full-time work, that they need to know more about society and especially true of the South. The reasoning behind this institute is the concern the labor movement has in trying to strengthen itself in the South."

THE PROGRAM at Georgia, Dr. Via noted, is the third in a series of three such institutes, the others having been held at the University of North Carolina and the University of Texas. And although tangible results of the previous programs are difficult to pin down, Mr. Guernsey called attention to three participants of the Texas program (which like this at Georgia dealt at some length with the war on poverty) who are now members of poverty war-community action boards in their own communities.

Thus, although the concern of the institute is primarily with the 21 participants, Dr. Via emphasized that, because what the labor movement does in the South and in the nation is of great importance to the public, labor education programs ultimately affect the public.

STAFF FOR THE institute comes from all over the country. Prof. Ray Marshall of the University of Texas is teaching southern labor history. Roy Wilkins, executive secretary of the NAACP, addressed the group earlier this week on civil rights.

Daniel Pollitt of the University of North Carolina School of Law will conduct sessions on labor law.

Reese Cleghorn of the Journal and Pat Watters, formerly of the Journal and now with the Southern Regional Council, will discuss changing voting patterns.

Vivian Henderson, president of Clark College in Atlanta, will participate in discussions of southern economic problems; and William Kircher, director of the organizing department of AFL-CIO, will discuss organizing.

IN ADDITION to the 18 or 20 visiting teachers and lecturers, a number of members of the University of Georgia faculty will take part in the institute.

"The southern labor movement is very concerned about training its people," Mr. Guernsey commented. And the month-long institutes such as this are "probably the best thing that has been done in long-range staff training."

1966 NILE SOUTHERN STAFF TRAINING INSTITUTE

University of Georgia, Athens

PAGINATION INCORRECT

COOPERATION makes for success in organizing, Coordinator James Pierce of AFL-CIO's Industrial Union Dept. tells listeners at Southern Staff Training Institute sponsored by AFL-CIO and National Institute of Labor Education.

ARBITRATION is subject of this study by three trainees—Willis Robinson, Connelly Springs, N.C.; Kenneth Lax of Ft. Worth, Tex.; Hugh Owen, Memphis, Tenn.

MAKING A POINT in class discussion is John W. Jennings of Transport Service Employes. Others, from left, Mrs. Michael Volk, wife of an Auto Worker delegate; Eugene Gore of IUD and Hub Cope, of Mayfield, Ky., Clothing Workers.

Union Staffs Sharpen Skills at Institute

Full-time staff representatives of unions with locals in the South went to school for a month at the University of Georgia at Athens. They analyzed all phases of union work under modern conditions, got up-to-date reports on use of tools they need for union service. School was the Southern Staff Training Institute, third in a series sponsored by National Institute of Labor Education and AFL-CIO Departments of Education and Civil Rights. To date institute has trained 57 staffers from 20 unions, 18 states. Instructors came also from Universities of Texas and North Carolina, Michigan State and Clark University.

PICTURE at left shows some trainees and wives

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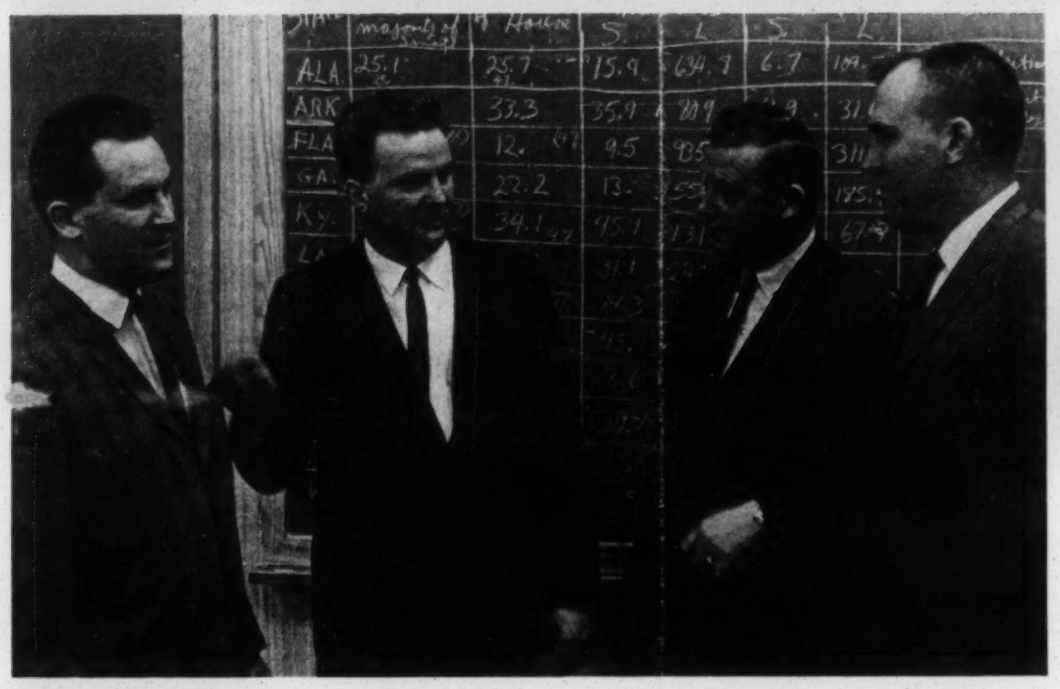
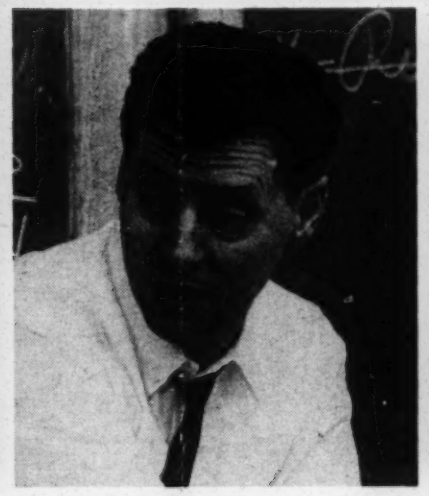
PICTURE at left shows some trainees and wives hearing Roy Wilkins, National Association for the Advancement of Colored People, tell of changes made and what lies ahead for the South.



FOUR TRAINEES from Intl. Brotherhood of Electrical Workers talk legislative reapportionment after class session on that subject. Blackboard shows percentages of members that control state houses.

INSTRUCTORS at first week's institute sessions, from left, seated, Marvin Friedman, AFL-CIO Dept. of Research; Co-Dir. George Guernsey, Federation's Dept. of Education; Dir. Emory Via, Southern Regional Council; standing, E. T. Kehrer, AFL-CIO Dept. of Civil Rights; Russell Allen, Michigan State University.

TWENTY-ONE DELEGATES to staff training institute pose with instructors on university steps during break in month-long training period. Not present for picture was Dir. Donald Slaiman of AFL-CIO Dept. of Civil Rights, who taught several sessions.



INFORMAL POSE catches concentration of Alan Kistler, AFL-CIO Dept. of Organization.

NAACP'S ROY WILKINS gave trainees first-hand report of progress in civil rights developments.

SERIOUS FACES — The sessions started early and often lasted late. These organizers are E. W. Hostetler, Milford Allen, Burl Robinson, Hutson Parker, Jerry Tucker, and Horace Boan.

Jan - Feb 1966 ILGWU SE News

Organizers Meet In Atlanta

The first week in January, the Southeast's organizing staff attended a meeting in Atlanta just for organizers which most said was the best conference they had ever been to. They heard lectures and talked to each other about labor law, organizing techniques, the ILG contract, and special problems of the South.

Alabama Organizer Alice York said," It was the best I ever attended. The organizers had a chance to talk, and it was all about *our* problems. I think everybody enjoyed it."

"Using the Law to Organize"

The biggest part of the week was spent with the two lawyer-teachers, ILG Associate General Counsel Julius Topol and Southeastern Counsel Jack Handler. Officially, Topol and Handler talked about "Using the Law to Organize," but they mostly covered ways employers break the law to prevent organizing. In the hope that organizers who know the law can better protect the workers, the lawyers went into detail about what makes an employer's action legally an unfair labor practice.

Topol told them, "We didn't come to make lawyers out of you, but we want you to know what you can do and what you can't."

The meetings stimulated the organizers to go on talking, outside of the regular sessions, about the issues raised during the day. Many argued about the role of lawyers in a labor union.

Most regretted the necessity for turning to the Labor Board with charges of unfair labor practices and for using legal tactics to organize. One organizer said, "If the workers are strong and enough of them really want a union, they don't need lawyers to tell them what to do, and if they aren't strong, the lawyers can't organize them."

But most of them were eager to learn how the law can protect the workers against an employer's illegal conduct. The argument was whether Labor Board orders, recommendations and decisions really protect the workers. One conclusion was that we need speedy law enforcement with real teeth in it and therefore we should press Congress for revisions of the law.

The Face of the South

The ILG borrowed Emory Via, director of the Labor Program of the Southern Regional Council, to talk to the organizers about the special problems of the South and how they affect the Labor Movement and the organizer. He traced the economic history of the South and discussed the Civil Rights "revolution." He said "democracy requires a settlement" of the country's race problems. "Job security for everybody will do more to ease tensions than almost anything else."

HISTORY — Labor Economist Emory Via talked to the organizers about the South.

Organizing Techniques

To teach organizing techniques, the Region used its own people and asked organizers from other unions, the Teamsters and the Amalgamated Clothing Workers, to come to exchange ideas. Saul Nesselroth, from the ILG's Education Department, and Benny Dansavage and Nick Bonanno taught sessions about organizing techniques and the use of leaflets.

These sessions also aroused a lot of discussion among the staff. Some of the organizers proposed new techniques and whole new approaches to organizing.

Southeast Assistant Director

(Continued on page 3)

Organizers Studied Law, Techniques, South, The Industry

(Continued from page 1)

Nick Bonanno said, "In an industry where the non-union shops are such a drag on the wages and conditions of union members, the most important people in the Union are the organizers who are out day and night riding the highways, knocking on doors, and picketing plants to bring the benefits of the Union contract to unorganized workers."

The Contract

Martin Morand, Regional Director, went through the standard ILG contract so the organizers would know the remedies the Union offers to the problems of unorganized workers. He also explained, for the benefit of staff recruited from other unions, the problems caused by the special nature of the garment industry.

Attitude of an Organizer

Saul Nesselroth, who planned and directed the conference, wrapping it up at the end of the week, told the organizers that the most important quality they could have was one he didn't know how to teach: attitude. "It's hard to teach an organizer to hate exploitation and to want to do a good job for the operator, but he has to feel that way to be successful. He should have the kind of makeup where he gets almost sick every time he passes a non-union plant."

Not only were the organizers pleased with the conference and the teachers, but the teachers were pleased with them. Nesselroth, Handler, and Topol all expressed real satisfaction and pleasure at the dedication and interest of the organizing staff and at their response to the classes.

ILG LAWYERS—Regional Counsel Jack Handler and Associate General Counsel Julius Topol stirred the Southeast's organizers to unprecedented thought and discussion, made January conference "the best we've had."

SOUTHEAST GOES TO SCHOOL — Anna Rousey, Bill Andrews, and Lolita Matamoros were among about 30 organizers who studied labor law and organizing techniques at conference in Atlanta.

Daytona Beach
Sunday News-Jnl.
March 13/66

On Open Forum

SRC Labor Director To Speak

Emory F. Via, Atlanta, labor program director of the Southern Regional Council, will be the speaker at this afternoon's Open Forum program in Peabody Auditorium.

He is on leave from the University of Wisconsin where since 1958 he has been an associate professor in labor education for the university's School for Workers. He has a bachelor of arts degree from Emory University and both a master's degree and a Ph. D in political science from the University of Chicago.

He has been field program director for the Georgia Workers Education Service; executive director for the Atlanta Labor Education Assn., field program director for the labor education division of Roosevelt University in Chicago and a labor consultant for the Southern Regional Council.

Via's talk, starting at 3 p.m., will be preceded by a half hour concert by the Golden Agers, a musical group from the City Recreation Dept.

Admission to the program is by membership ticket or by making a silver offering.

EMORY F. VIA

Daytona Beach Morning Journal

Questions Fly During Open Forum Session

March 14/66

E V

By DREW MURPHY

Open Forum participants yesterday hardly could wait for the program speaker, Dr. Emory F. Via, to finish his address before they started firing questions at him concerning labor unions.

Dr. Via, Atlanta, labor program director of the Southern Regional Council, fielded as many questions as he could, and ended up spending more time answering than addressing.

The Forum speaker, who has a Ph. D. in political science from the University of Chicago, made it clear from the start he favors unions, particularly as they operate in the collective bargaining process.

Gives Summary

He concluded a history of the labor movement in the U.S. with this summary:

—Unions are going institutions, with their own internal political life.

—U.S. public policy toward labor unions has developed over a long period of time, and it's still evolving, but the basic right to organize and bargain is more than 30 years old.

—Unions are basically pragmatic but infused with idealism, too. Indeed, much of their practical, day to day work is for humane ends.

—Unions accept democracy, a mixed economy, and they in turn fit into the fabric of American life.

Answers Questions

Then the questions started to fly. Here are some of them, with Dr. Via's answers:

—Don't unions encourage mediocrity? "You can find every kind of an answer to this question, but basically unions don't encourage mediocrity. As an example of what I mean, the apprentice programs offered by some unions encourage a high level of work."

—What can unions offer in the South? "I believe that in the next few years unions in the South will experience great growth. They will offer support of civil rights and of general education."

—Are strikes losing their utility? "Perhaps, but people tend to lose sight of the fact that only .18 percent of the nation's man hours were lost last year because of strikes. The largely fruitful results of collective bargaining often are overlooked."

—If unions are so democratic, how do they help nonmembers? "Anything that improves the lot of the working folk improves the whole community."

Opinion of Hoffa

—Do you believe James R. Hoffa, president of the Teamsters Union, is a credit to organized labor? "He isn't my personal ideal of a labor leader in every respect. However, most of the 1.5 million teamsters don't agree with me."

—Have unions contributed to education? "Labor has been an historic supporter of education. Back in the 19th Century, labor was one of the agitating forces that finally got for the public its present free system of education."

Inflation

—Hasn't the conflict between labor and management resulted in inflation? "Stopping the kind of inflation we've had so far isn't a high priority item with labor right now. There has been a slow rise in the cost of living in the past few years; but, on the other hand, our Gross National Product — and the country's resulting income — also have gone up amazingly. Only those with a fixed income are feeling the pinch. I would be interested in a social policy that could help these, and all of us. Most of us are better off than we were two decades ago."

Faircloth to Speak

Next Sunday's Open Forum speaker will be Florida's Atty. Gen. Earl Faircloth. The musical part of next week's program will start at 2:15 p.m. with a concert by the Youth Symphony, whose members are junior and senior high school students from Central Florida.

Music yesterday, for a half hour before the Forum, was supplied by the Golden Agers, a musical group from the City Recreation Dept., introduced by Kathleen Morrison.

Dr. Merlin Cox, Forum president, moderated the discussion period.

—o—

The South

Teachers Vote To Stay On Strike

NEW ORLEANS (AP) — About 50 members of the 1,400 member American Federation of Teachers, AFL-CIO, Local 527, voted Sunday night to continue their strike indefinitely.

EV - Publicity

Evening News

West Volusia Bureau at DeLand

127 S. Florida Ave. Bureau Chief: Bill Finney. News: Lew Livingston, Kay Vandervoort, Phone 734-1551. Circulation: James Holladay, 734-2070 and 734-7621

ONDAY, MARCH 14, 1966 ☆ ☆ SECOND SECTION

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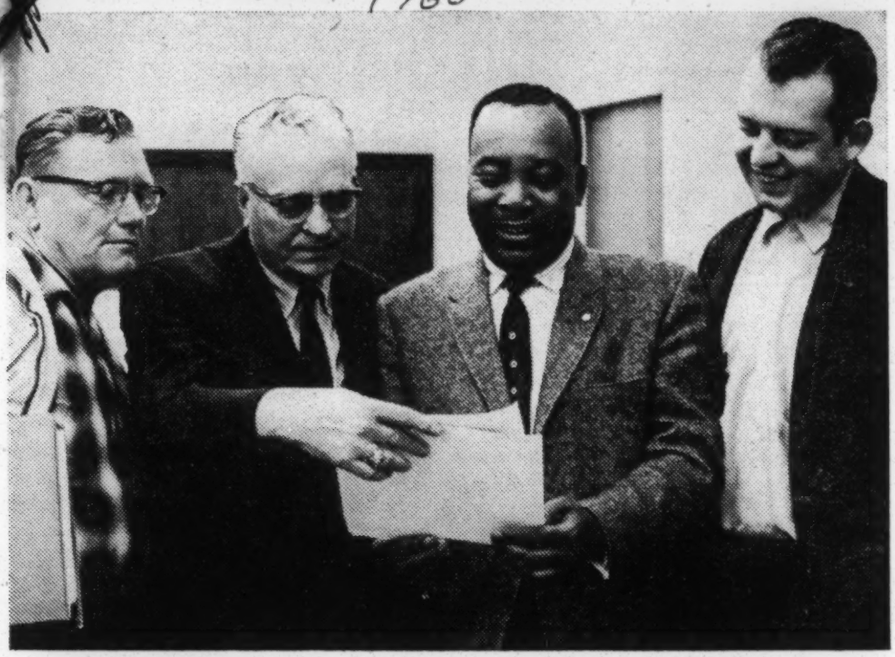
Spec Labor Program — Publicity
Aug 1966



STEELWORKER Jimmy Lee Williams of Fairfield, Ala. (third from left) was among delegates at recent Southern Staff Training Institute. Looking over class program at University of Georgia institute with Williams are Lawson Chitty, RWDSU, Florida, Hub Cope, ACWA, Kentucky and Fred Cory, TWUA, Tennessee.

Hold Training Institute at U. of Georgia

Twenty-one delegates, all full-time Southern representatives or business agents, from 14 affiliated AFL-CIO unions attended a one-month staff training program at the University of Georgia, Athens, recently. The program was sponsored by the National Institute of Labor Education and by the AFL-CIO's Education and Civil Rights Departments.

Emory Via of the Southern Regional Council was director of the Institute; George T. Guernsey, assistant director, Department of Education, AFL-CIO, was co-director. Steelworker Jimmy Lee Williams of Fairfield, Ala., represented the USWA.

As part of the NILE Southern Staff Training Institute's program, Roy Wilkins, executive secretary of the NAACP, spoke at an open meeting at the University which was attended by more than 300 students and faculty and by the NILE delegates. Wilkins also had a separate two-hour discussion session with the NILE delegates.

Southern Garment Worker

News and Views of the Ladies Garment Industry for and by Union people.

Vol. 1, No. 6 | International Ladies' Garment Workers' Union, AFL-CIO — Southeastern Region | May - June, 1966

Region Plans Politics, Organizing

At the Southeast's annual Regional Conference, June 3-5 at Daytona Beach, Fla., the Union urged the members, through their delegates, to take over the ILG's two biggest jobs: organizing the unorganized and electing Congressmen who will vote for Labor's interests.

Although the theme of the meeting was politics, both President Stulberg and Director Martin J. Morand told the delegates that the Union must organize the garment workers of the South, to survive, and that only the members can do it.

Stulberg said, "We will organize the workers of the South; we will spend all the money it takes, without wasting one penny."

MOCKERY—During a mock election, the delegates registered, nominated candidates in convention, campaigned, and voted by secret ballot. Generally, chaos and mirth prevailed. Here, the President of the Union, the Regional Director, Evelyn Dubrow, the Regional Counsel, assorted delegates, organizers, business agents, and the editor of "Justice" are following their own paths and paying no attention to each other.

Politics

Speakers and delegates agreed that the Union and union members have to be in politics and, to be successful, must make a political alliance with the Civil Rights Movement.

Area COPE Director Dan Powell said that "Labor has to be in politics because management is. They are well-organized and they can and do spend lots of money."

Evelyn Dubrow, ILG Political Executive Secretary, told the delegates that to fight the money management spends in politics, union members are obliged to give their money and in addition to go out and work for their candidates.

Panel

A Saturday afternoon panel discussion, moderated by Emory Via, Labor Director of the Southern Regional Council, talked about the alliance labor must make with the Civil Rights Movement, "not to be nice, but because the balance of power in American politics demands it.

"Neither group alone can defeat the money and vote of the conservatives, but the two together can protect the working people and the minorities."

The delegates testified to the damage done to unions when management plays off one race against another.

William Pollard, Assistant in the AFL-CIO's Civil Rights Department, criticized the Southern Labor Movement's traditional form of alliance: "It's no 'coalition' when a state labor council endorses their candidates and then tries to get the Negro peo-

(Continued on Page 3)

Regional Conference

WHEN LABOR WINS — Frances Munroe, Local 574, won the mock election, defeating a states-rights, anti-civil rights candidate and a business agent. She promised equality, high wages, and good government, and her supporters made more noise than anybody else.

HOW TO BE EFFECTIVE—The panel of experts on effective political action included Dan Powell, William Pollard, Emory Via, ILG General Organizer Maida Springer, and Alabama Labor Council President Barney Weeks.

(Continued from Page 1)

ple to go along. What labor has to do is get together with the Negroes first and then come to an agreement."

Florida's Representative Claude Pepper, at the banquet Saturday night, asserted that "the real Southern tradition is liberal. Ever since Thomas Jefferson, the greatest liberals have been Southerners."

NO ENDORSEMENTS

Labor to sit out election

The B'ham (Ala.) News 10/11/66

State council to stay mum

BY TED PEARSON, News staff writer

MOBILE, Oct. 11—Organized labor in Alabama apparently is going to sit out the current general election campaign, endorsing no statewide or congressional candidates.

That's the route, at least, being traveled by labor's state leaders and there is not the slightest indication of any movement among the membership to divert from it.

BARNEY WEEKS

"We don't anticipate any endorsements of any candidates to come out of this meeting," Barney Weeks, president of the Alabama Labor Council (AFL-CIO), said Monday as the Council's sixth biennial convention opened here.

"THE SITUATION is very simple. There are no people running to whom organized labor can give an official endorsement. This is an election we are going to sit out and we are not looking for any moves among the delegates to support any candidate.

"This includes governor, U. S. Senator and all the congressional seats."

It is very unusual that Sen. John Sparkman is not in line for a formal labor endorsement, and Weeks acknowledged this fact.

"WE CERTAINLY have supported Sen. Sparkman all the years he was a congressman, then as senator, and when he ran for vice president," Weeks said. "But his record has been so bad recently on such things as the airline strike and right to work, that we feel he has left us. We do not intend to endorse him nor any other candidate."

One of the three candidates for governor, Dr. Carl Robinson, the independent from Bessemer, has been making a bold bid for labor's backing, but the decision to endorse no one includes him too.

Dr. Robinson, among other facets of his quest for labor support, is circulating copies

Turn to Page 4, Column 5

State labor won't back candidates

From Page 1

of his labor platform at the current Mobile convention.

Weeks said the "sit out" involves candidates at the statewide and congressional district level. The matter of endorsing state legislative and local candidates is traditionally in the hands of local unions and district labor councils.

IN A SPEECH to the delegates Monday, Stanton E. Smith of Washington, coordinator of AFL-CIO state and local central bodies, took a fleeting swipe at Alabama's present congressional delegation when he said:

"We can all remember when it wasn't the case of such a solid mass of wrong votes by Alabama's congressmen as we have seen these past two years."

He conceded the Southern labor movement is currently embroiled in what he called a "trial by fire," but he predicted it is going to produce "a purified and strengthened labor movement — one that will lead the trade union movement of this country to greater heights than it has ever known."

Smith declared that collective bargaining remains the "bedrock" of organized labor, but "is no longer enough."

HE SAID LABOR must act boldly to promote enactment of progressive legislation for human welfare over and above its achievements at the bargainig table.

"Our unequivocal, unwavering commitment is to human welfare," Smith said.

"If we are going to accomplish this, we must have the strongest possible state and local councils."

Weeks, the state president, reported that 32 new AFL-CIO locals have been established in the last 18 months in Alabama, and 12,000 new members added to union membership rolls.

This convention, which will last through Wednesday, shapes up as one of the quiestest for Alabama labor ever to be held, one reason being the evident disenchantment with the November general election ballot.

RESOLUTIONS of interest to labor are on the convention agenda and officers will be elected to new two-year terms. Weeks has no opposition up to now in his bid for re-election.

The delegates also will elect a first vice president and six district vice presidents.

One speaker of note Tuesday is P. L. (Roy) Siemiller, president of the International Association of Machinists, who was continually in the national spotlight during the recent machinists strike against the airlines.

Other speakers include Emory Via, a University of Wisconsin professor currently on leave from that post to serve as director of labor programs for the Southern Regional Council in Atlanta, and Sterling Williams, regional director of the U. S [illegible] partment's Wag[illegible] and Public Cor[illegible] in Birmingha[illegible]

Related chemicals

SAN FRANCISCO — Starches and sugars are close relativ[illegible] in the chemical family [illegible] starch can be converte[illegible] sugar in industrial pro[illegible]

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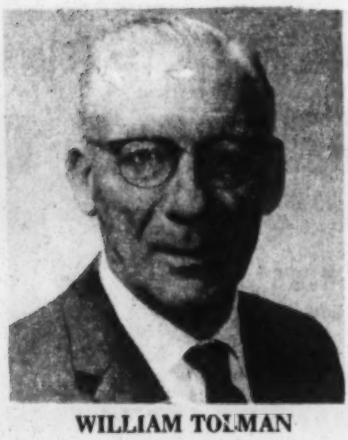
Oct 16, 1968



WILLIAM TOLMAN

UK, Labor Sponsor Program

Kentucky union members will have the opportunity to continue their education through extension classes sponsored jointly by the University of Kentucky and the Kentucky State AFL-CIO.

The first class sessions under the new program will be held in Owensboro, beginning Oct. 17. Two eight-week courses will be offered, in union administration and community services.

Prof. William A. Tolman of the UK office of Development Services and Business Research in the UK College of Business and Economics, said that disagreements often arise between management and union members because of poor communication between the two groups.

"We feel that by offering union members the opportunity to further their education, we can avoid communication gaps and lessen the number of strikes," he said.

Working with Prof. Tolman in planning the extension classes is Jim Head, president of the Owensboro Council of Labor and a member of the United Steel Workers of America. Some 25 students from the Owensboro area are expected to enroll in each class.

Instructors are Dr. Emory Via, director, Labor Program, Southern Regional Council of Atlanta, who will teach "Union Administration," and Charles Clark, labor representative from the Louisville United Appeals Council, who will teach "Community Services."

"We intend the program to become state-wide according to the demand and our ability to engage qualified teachers," Prof. Tolman said.

Owensboro Messenger & Inquirer — Oct 16, 1968

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303
522-5764

PAUL ANTHONY
EXECUTIVE DIRECTOR

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

October 21, 1968

SRC ANNOUNCES NEW STAFF MEMBER

The Southern Regional Council, Inc. of Atlanta, Georgia wishes to announce that Emory F. Via has joined its staff as Director of Labor Program. Mr. Via was formerly Professor of Labor Education, School for Workers, The University of Wisconsin. Mr. Via worked with the Council previously in 1956-58 before going to The University of Wisconsin and during 1965-67 while on leave of absence from The University.

Mr. Via will engage in labor education activities with unions in the south on matters relating to civil rights and the socio-economic development of the region, programs aimed at eliminating job discrimination, and other projects broadly related to the constructive use of the region's manpower resources.

[Ref. to "Labor Program - L.P. Publicity"]

Galveston Daily News
1-6-69

STAFF PHOTOS By BOB WESTERLAGE

PARTICIPANTS IN CONFERENCE ON FEDERAL ANTI-POVERTY PROGRAMS
H. S. (Hank) Brown, Dr. J. Earl Williams And George Guernsey

Poverty's Psychological Effects Meet Topic Today

By KITTY KENDALL
NEWS STAFF WRITER

Dr. Joseph E. Champagne of the University of Houston will tell of the "Psychological Effects of Poverty" in an address at 9 a.m. Monday at the Flagship Hotel before union representatives of labor who are attending an eight - day conference sponsored by the Center for Human Resources, University of Houston.

The speaker, associate director of the Center, is one of several experts and top labor leaders, who will discuss federal anti - poverty programs and how union members can work with community action programs.

The conference faculty includes Washington representatives from the Office of Economic Opportunity, the Department of Education, OEO labor liaison leaders, Job Corps executives, state planning group leaders from Texas, Arizona, Arkansas, Colorado, Louisiana, Mississippi, New Mexico and Oklahoma, and others.

Program participants include Dr. J. Earl Williams, director, Center for Human Resources at UH; H. S. (Hank) Brown, president, Texas AFL-CIO; Tom Cosgrove of Washington, deputy assistant director, OEO's Office of Governmental Relations and National Councils; George Guernsey, assistant director, Department of Education, AFL-CIO, Washington, D.C.; Dr. J. Blair Justice of Houston; Robert McGlotten, AFL-CIO Civil Rights Specialist, Washington, D.C.; Julius Rothman, AFL-CIO Poverty Coordinator, Washington, D.C., and other specialists.

A panel discussion — The Profile of the Victims of Poverty in America and the Region: Implications for the Community Action Program — will follow Dr. Champagne's address. Panel members will be James E. Johnson, Edgar Berlin and Roberto Ornelas.

The afternoon program will include panel discussions and small group discussoons. Dr. Emory F. Via, director, labor program, Southern Regional Council, Atlanta, Ga., will be the speaker at a dinner at 7:30 p.m. Monday.

Tuesday, the group will get a look at poverty and poverty programs in an all - day tour in Houston. The assembly will convene again Wednesday at the Flagship for a day - long session. Other OEO and poverty related programs will be conducted Thursday through Saturday.

Sessions began at 2 p.m. Saturday. Sunday, the topic of "How Does Labor Relate to the Problem" was the highlight of the assembly, panel and group discussions. The program ended with a dinner and an address by Walter Richter of Austin, director of the Southwest OEO Regional Office.

Lab Prog - Publicity

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NEWS STAFF WRITER

Dr. Joseph E. Champagne of the University of Houston will tell of the "Psychological Effects of Poverty" in an address at 9 a.m. Monday at the Flagship Hotel before union representatives of labor who are attending an eight - day conference sponsored by the Center for Human Resources, University of Houston.

The speaker, associate director of the Center, is one of several experts and top labor leaders, who will discuss federal anti - poverty programs and how union members can work with community action programs.

The conference faculty includes Washington representatives from the Office of Economic Opportunity, the Department of Education, OEO labor liaison leaders, Job Corps executives, state planning group leaders from Texas, Arizona, Arkansas, Colorado, Louisiana, Mississippi, New Mexico and Oklahoma, and others.

Program participants include Dr. J. Earl Williams, director, Center for Human Resources at UH; H. S. (Hank) Brown, president, Texas AFL-CIO; Tom Cosgrove of Washington, deputy assistant director, OEO's Office of Governmental Relations and National Councils; George Guernsey, assistant director, Department of Education, AFL-CIO, Washington, D.C.; Dr. J. Blair Justice of Houston; Robert McGlotten, AFL-CIO Civil Rights Specialist, Washington, D.C.; Julius Rothman, AFL-CIO Poverty Coordinator, Washington, D.C., and other specialists.

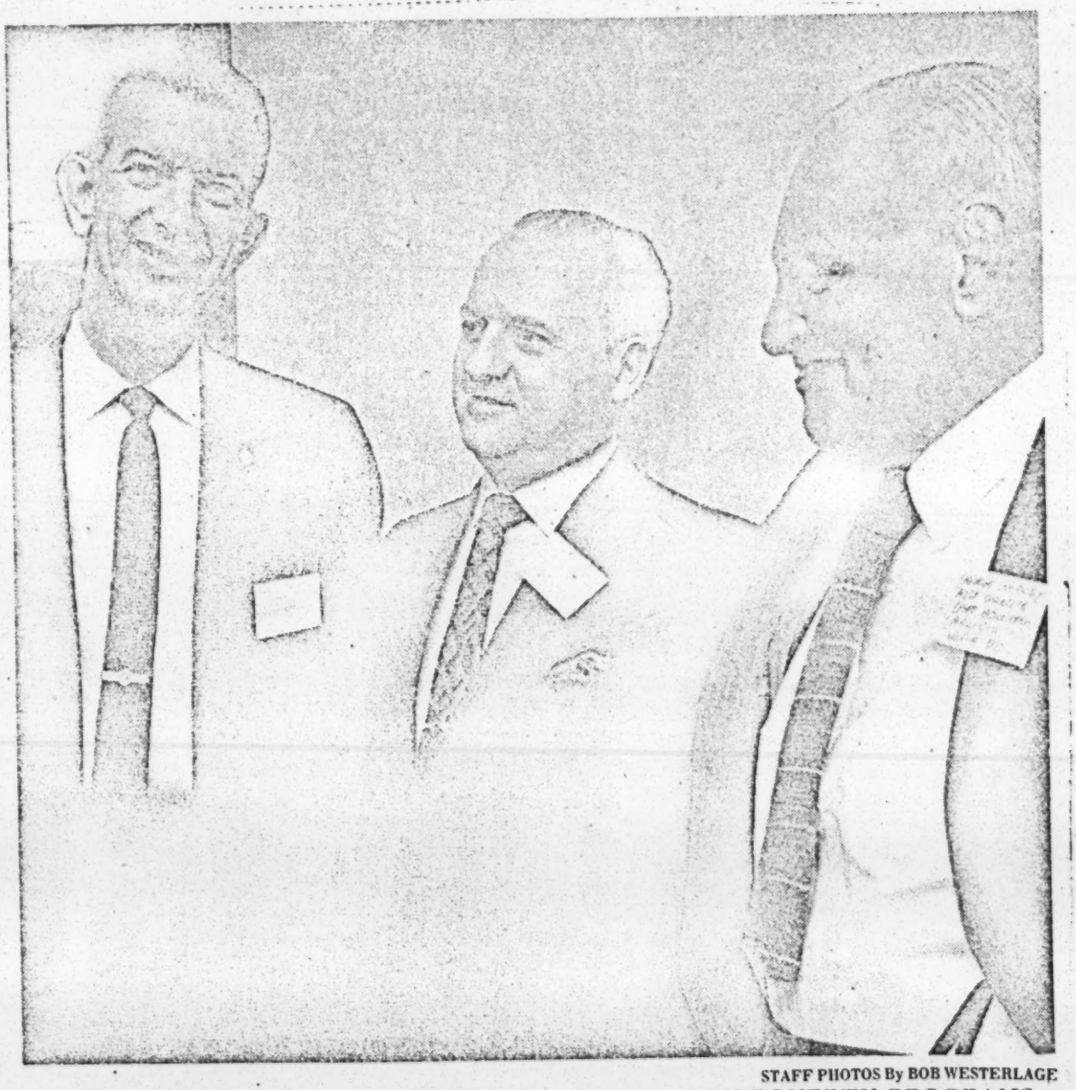
A panel discussion — The Profile of the Victims of Poverty in America and the Region: Implications for the Community Action Program — will follow Dr. Champagne's address. Panel members will be James E. Johnson, Edgar Berlin and Roberto Ornelas.

The afternoon program will include panel discussions and small group discussoons. Dr. Emory F. Via, director, labor program, Southern Regional Council, Atlanta, Ga., will be the speaker at a dinner at 7:30 p.m. Monday.

Tuesday, the group will get a look at poverty and poverty programs in an all - day tour in Houston. The assembly will convene again Wednesday at the Flagship for a day - long session. Other OEO and poverty related programs will be conducted Thursday through Saturday.

Sessions began at 2 p.m. Saturday. Sunday, the topic of "How Does Labor Relate to the Problem" was the highlight of the assembly, panel and group discussions. The program ended with a dinner and an address by Walter Richter of Austin, director of the Southwest OEO Regional Office.

The Galveston Daily News
MONDAY MORNING, JANUARY 6, 1969



STAFF PHOTOS By BOB WESTERLAGE

PARTICIPANTS IN CONFERENCE ON FEDERAL ANTI-POVERTY PROGRAMS
H. S. (Hank) Brown, Dr. J. Earl Williams And George Guernsey

Labor Program — Publicity

Poverty Seminars Held In Galveston

Galveston Daily News — 1-7-69

By JOEL KIRKPATRICK
NEWS STAFF WRITER

Representatives of AFL-CIO organizations from eight states attended seminars at the Flagship Hotel Monday and were awakened to the fact that there is poverty all around them.

Union representatives from Arizona, Louisiana, Texas, New Mexico, Arkansas, Oklahoma, Mississippi and Colorado attended some of a series of lectures and panel discussions with teachers from the University of Houston, UCLA, representatives of the U. S. Labor Department and representatives of the Office of Economic Opportunity.

This was the first time such a meeting had been held in this section of the United States.

The first meeting such as this was the one which identified Appalachia as a major poverty area several years ago.

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Other members of the panel were Joe Rubio, Margaret McConnell, James E. Johnson, all with the Austin Regional Office OEO.

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In addition to being sponsored by the AFL-CIO, the conference is being sponsored by the Center for Human Resources of the University of Houston.

The panel discussion was concerned with "just getting people informed about hunger in America."

Panelists were concerned with taking a look at welfare systems and whether the surplus food programs work. They generally agreed that a good job is being done in some places and that in other cases the War on Poverty program is not effective.

Via said, "One of our problems is whether at a time when we've finally gotten wide- spread recognition of poverty and hunger there will be the will among the people of the United States to bank such programs to a degree necessary to make a serious onslaught on poverty in the United States."

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One portion of the film showed starving Mexican Americans in San Antonio and led Henry Munox, Equal Opportunity director for the state AFL-CIO, to say "There are no laws in Texas to protect Mexicans."

"There are laws which require you to stop and water cattle when you are carrying them on a truck and to provide breathing room for chickens, but you can cram Mexicans in a truck until they suffocate.

"A politician only counts as a human being those who vote."

Another delegate at the showing of the film told of reprisals in San Antonio against those who helped CBS newsmen gather information and said, "Let's organize a federation of neighborhood councils which can get out the vote."

The Galveston Daily News TUESDAY MORNING, JANUARY 7, 1969

Lab Prog - Publicity,

Poverty Plans 'Up To Middle Class'

By GLADYS BARRILEAUX
NEWS STAFF WRITER

All the federal anti-poverty programs in the world will never work until middle - class America is ready to try and bring the level of ability of the poor up to the level of aspiration, a Houston psycholgist said in Galveston Monday.

Dr. Joseph E. Champagne, associate director of the Center for Human Resources at the University of Houston, discussed the "Psychological Effects of Poverty" at a conference at the Flagship Hotel.

Faculty for the conference, sponsored by the U of H Center, includes Washington representatives from the Office of Economic Opportunity, the Department of Education, OEO labor liaison leaders, Job Corps executives and state planning group leaders from Texas, Arizona, Arkansas, Colorado, Louisiana, Mississippi, New Mexico and Oklahoma.

Dr. Champagne critized the War on Provety for its "inability to live up to its promises to the poor and for raising aspirations in the poor that cannot be attained."

The difference, he said, between the aspiration level and the ability level results in the zone of frustration "we saw in Watts Newark, Detroit and Cleveland."

In outlining the dynamics of poverty, Dr. Champagne said that poverty is a way of life, a level of existence — not just earning less than $3,000 a year.

In the culture of the poverty, the speaker emphasized, the value system is different. "And when the value system is different, there's bound to be conflict—manifested by hostility, riots, looting and crime."

He urged his audience to "understand that we cannot impose our value system on these people — it will not work. They need to tell us. We've got to involve them. The poor person of today does not live in our culture. We cannot plan any programs of self - help for them by handing it to them on a silver platter."

In defining the role of human motivation, Dr. Champagne outlined the levels of motivation the poor person today is operating from as follows:

1. Biological level — basic needs like food, oxygen, air and water. "If you are starving, you will kill for food."
2. Safety level—shelter so that the rain and cold can't come in. The business of protecting what I have."
3. Social level —the need to love and be loved, the need to interact with other people.
4. Esteem level—respect of self and respect from others.
5. Acutalization level — "to make something of myself. To become a full human being."

The speaker characterized the first four levels as "deficiency needs." The fifth need, he said, is the growth need.

Poverty Seminars Held In Galveston

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Labor Program Publicity

EMPHASIZING a point with a gesture is Carl W. Glatt, State Human Rights Commission director, in a chat with state trades union leaders at a workshop on equal employment practices. (Staff Photo by Ferrell Friend)

Negro Members Increasing In Building Trades Union

By K. W. Lee
Staff Writer

How many Negroes are in West Virginia's building trades unions? A few in some and fewer in others, but the number is slowly rising.

That's the general picture of where the Building and Construction Trades Council, AFL-CIO, representing roughly 15,000 members.

Union leaders attending the second West Virginia Building Trades Education Conference here estimate there are about 200 Negroes. The figure amounts to 1.3 per cent of the total membership.

A bulk of the Negro members, however, are found in traditianally Negro trades, mostly in labors, masons, and plasters. About 100 Negroes are in construction labor unions, 50 in bricklayers and 10 to 12 in electricians, according to union officials. They say there is "some" Negro representation in mechanical trades but aren't sure how many.

The nearly lily-white status and "affirmative action" programs to recruit more Negroes into the building trades were the main thrust of talks Friday by State Human Rights Commission Director Carl Glatt and labor specialist Emory Via of the Southern Regional Council at Atlanta, Ga.

Be like a football coach and go out and recruit, Glatt told the group. "I would be dishonest if I didn't tell you there's room for improvement."

* * *

IF THERE ARE Negroes in construction unions, Dr. Via said, "we can count them because there are so few of them."

Atlanta, he said, has a black population of 400,000 but no Negroes are found in plumbers' and pipefitters' union, two or three in electricians' and three or four in iron workers.

"Building trades must worry for your own public image," he said, because it has the worst image among organized labor in racial discrimination. "The whole labor movement gets tarred with that image."

As for affirmative action, the speaker said, the unions must initiate a recruitment and information program and join with other governmental, labor and civil rights groups in crash pretraining programs and long-run work experience programs. "What it takes is the recognition that you ought to do it," he said, adding, "I don' care what reason, but that decision has to be made."

The Charleston Gazette

Saturday, March 1, 1969

*The Charleston Gazette

Wednesday, Feb. 26, 1969

Conference to Explore Construction Unions

Jurisdictional problems, work practices and discrimination in construction unions will be explored at the second West Virginia Building Trades Education Conference starting today at the Heart O'Town Motor Inn.

About 70 building trade unionists are expected to attend the three-day event.

William E. Naumann of Tucson, Ariz., will be keynote speaker at today's opening session. A member of the Associated General Contractors executive committee, Naumann will discuss "outmoded" work practices in the construction industry.

The conference will be coordinated by West Virginia University's Institute of Labor Studies and the W. Va. Building and Construction Trades Council, AFL-CIO.

Among the scheduled speakers are: Louis Sherman, general counsel for the AFL-CIO's Building and Construction Trades Department at Washington, D. C.; Dr. Emory Via of the Southern Regional Council at Atlanta, Ga.; Walter Mason, legislative director of the Building Trades Department; Emil Farkus, attorney for the National Labor Relations Board at Cincinnati, Ohio.

West Virginians who will participate include: Miles Stanley, president of the State Labor Federation; Dr. Keith Dix of the WVU Institute of Labor Studies; Curtis Yago, director of the State Labor Department's Safety Division; Walter Snyder, director of the department's Wage and Hour Division; Carl W. Glatt, executive director of the W. Va. Human Rights Commission; and Charleston lawyer Edward C. Verst.

Owen Tapper, assistant director for education of the Institute of Labor Studies, and Harry B. Janney, secretary-treasurer of the W. Va. Building and Construction Trades Council, will be coordinators for the conference.

Labor Pary.
Pabl.

March 7, 1969

Meeting on Impacts of Non-Conventional Carriers

date: Wednesday, March 12, 1969
time: 12:00
place: U.S. Department of Transportation
800 Independence Avenue
Room 704

Urban Mass Transportation Administration Representatives:

Mr. Thomas Floyd, Director
Mass Transportation Demonstration Grant Program

Other UMTA staff:

Mr. John L. Crain, Consultant to UMTA

Panel Participants:

Mr. John Bailey, Director
The Transportation Center
Northwestern University
1818 Hinman Street
Evanston, Illinois

Mr. Sumner Myers
The National Institute of Public
Affairs
1001 Constitution Avenue, N.W.
Washington, D.C.

Mr. James Whittaker, Chief
Bureau of Motor Bus Transportation
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey

Sachnoff - Labor, employee protection in Transp. grants

Agenda
Meeting on Impacts of Non-Conventional Carriers

Dr. Oscar Ornati
Graduate School of Business
New York University
100 Trinity Place
New York, N.Y.

Mr. Emory Via
Director of Labor Programs
Southern Regional Council
5 Forsyth N.W.
Atlanta, Georgia 30303

Robert Banks and Associates
Transportation Economists
Washington, D.C.

Mr. Ralph Rechel
Transportation Consultant
Washington, D.C.

Other govt agency
& Fed agency obstacles —

Agenda for Discussion

1. Statement of Problem - Mr. Thomas Floyd, UMTA

2. Review of non-conventional carrier proposals in hand and expected. Mr. John L. Crain

3. Opening Remarks by panel members in rotation.

4. General Discussion.

5. Summary by Moderator.

6. Amendments or exceptions to the summary by Panel Members in rotation.

7. Adjournment

1st proposal to carriers

Decline likely to be expected from carriers

Fed pressure

Local political pressure

Federal funds can push equal standard

Coordinated approach

But ~~enforced~~ uncomfortable Stick until other alternatives work —

Consumer ed. re transit use —

Flexible by kind of city & existing system

The West Virginia AFL-CIO OBSERVER

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Watson, Myles and Pauley Trio Chop Up Wage and Labor Bills

CHARLESTON — Delegates Ned Watson, Tommy Myles and Harry Pauley, long-time Democrats from Marion, Fayette and McDowell Counties, made a last ditch effort to scuttle the "key labor bills" introduced in the 59th West Virginia Legislature.

The delegates' first concerted effort came on Monday, March 3, with motions and House votes on amendments to weaken the minimum wage bill that eventually passed the House on Tuesday by a 70-26 margin.

After a long debate Wednesday, the House rejected an effort to permit public employees to join a union and to require their bosses to negotiate with them.

Again, it was Watson, Myles and Pauley who led the attack, this time on the "Jones amendment," as they teamed up with Del. Fred Grewe, R-Ohio, and Russel Davisson, R-Kanawha, who said the effect of the amendment would be to organize "people against people."

THE STATE labor-management relations bill, as first introduced in the legislature, was patterned after the National Labor Relations Act. It dealt extensively with the right to organize and bargain collectively in both the private and public sectors.

At a public hearing on the bill, former Gov. Hulett C. Smith said he thought it should apply to state, county and city workers because they were demanding a voice in their employment and whether the legislature liked it or not they were going to enforce their demands.

Miss Juliann Ritter, executive director of the West Virginia Nurses Association, also spoke in support of the bill.

But the House Judiciary Committee under Watson's chairmanship cut out the provisions which would cover public employees. Then, on the House floor Wednesday, Del. Cleo Jones (R-Kanawha) offered the amendment which would put the provisions back.

THE PRINCIPAL argument of Jones and those who agreed with him is that the state now lacks a mechanism to deal with the discontent of the kind that has occurred in the strike of over 4,000 State Road Commission workers.

Jones said that his amendment did not call for checkoff of union dues, nor did it require compulsory arbitration.

"We will be very weak and very foolish if we do not adopt this amendment," he said. "We can no longer bury our heads in the sand."

Then came Watson, Myles and Pauley.

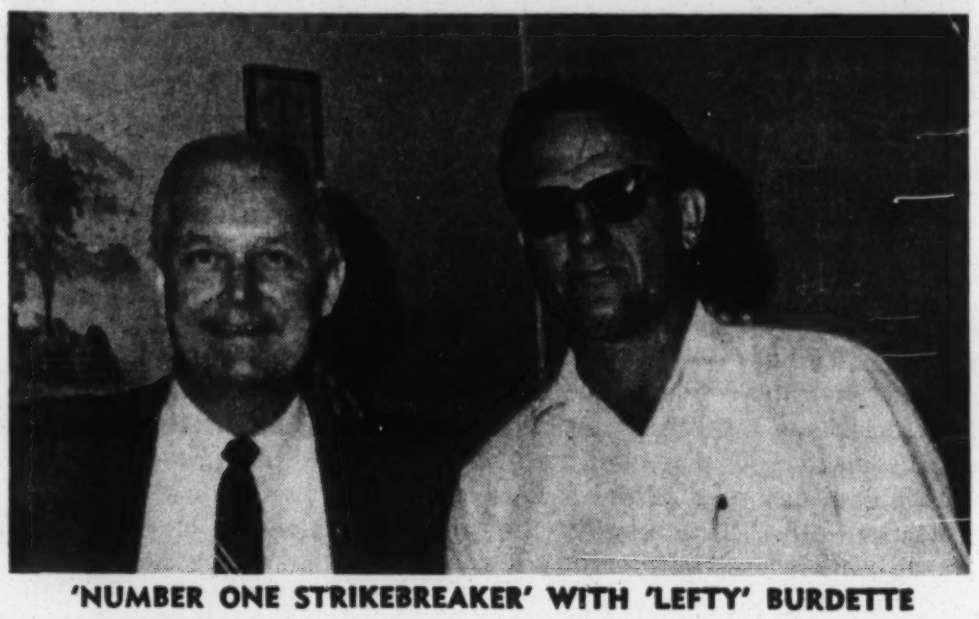
"I don't know what kind of a Governor Miles Stanley will make," Pauley said, "but passing a bill like this would be turning the state over to the AFL-CIO." The bill, said Pauley, was like a "lot of other garbage" that had been sent over to the Senate.

Myles said the bill was worthless and pointless. He said the only people who would benefit would be the union leaders, particularly the AFL-CIO.

"Come election time," Myles said, "you're going to have the Democratic party, the Republican party and the AFL-CIO party, and I'm opposed to that." He said the AFL-CIO was "after me right now."

Watson claimed that if the Governor orders the Road Commission to have some work performed, and then "this local union" decides the boss was unfair, you would in a sense be insulting the Governor. "The labor commissioner could

(Continued on page 3)



'NUMBER ONE STRIKEBREAKER' WITH 'LEFTY' BURDETTE

4,000 'Punished' as Scabs 'Clean Up'

Moore Picks Cold Day for 'Snow-Job'

GOVERNOR ARCH MOORE's mass head-cracking party at the Statehouse Tuesday, March 11, marked him as the "No. 1 Strikebreaker in the history of the state," according to AFL-CIO President Miles C. Stanley.

Lyle Kirker, Business Manager of the Laborers' District Council, said that Moore has chosen the mass punishment of 4,000 men over sane and logical bargaining.

Moore took the action—"immediate discharge of all Road Commission employees who are off their jobs"—when the road workers "held tight" on the picket lines as the first "seriously heavy" snow fell on West Virginia roads and hollows since the workers began their efforts to seek recognition for a grievance procedure and job security.

But it looked as if Moore's "ax-swinging routine" was in effect a "grand snow-job," according to Kirker, the SRC employees' organizer.

"The Governor is actually using strikebreaking tactics of the sort used in the early 1930's," Kirker said. "He is using these tactics at the expense of the taxpayers by employing additional outside contractors on the roads throughout the state."

Kirker was referring to the Burdette Asphalt & Paving Co., a "scab outfit" that crossed picket lines early Tuesday morning at the request of Moore and State Road Commissioner William S. Ritchie Jr.

It appears that the owner-operator, "Lefty" Burdette was closely connected to Moore during the Governor's race last November. Attempts to organize Burdete Asphalt were made a number of times by the Teamsters and Operating Engineers, but Kirker said they kept a "crew of floaters" that made the organizing task impossible.

As a matter of record, many of Burdette Asphalt's former employees have received back wages reaching a total in the five-figure bracket following complaints to the Labor Dept. Also, the company has been convicted and forced to make changes due to citations by safety inspectors.

PRESIDENT STANLEY was enroute to a labor meeting in Parkersburg when he heard of Moore's "hatchet ultimatum."

"Governor Moore's concern for safety and public welfare," said Stanley, "is but a thinly veiled cover for the deep-seated anti-organized labor feelings that have typified his public career."

In response to Governor Moore's claim that the workers were released for "neglect of duty," Stanley said he felt the Governor was "neglecting his duty as chief executive in not recognizing the rights of our citizens as guaranteed in the First and Fourteenth Amendments."

This is the "right of association," that was upheld in a unanimous ruling by the 8th U.S. Circuit Court of Appeals in St. Louis.

The St. Louis decision holds that the constitutional right of public employees to join a union is protected under the First Amendment. It is made applicable to states under the Fourteenth Amendment.

KIRKER SAID that, although the Governor denied it, his action was indeed "a matter of politics."

"It is the most coercive and flagrant use of the 'spoils system' that I have ever witnessed," Kirker added. "It is an obvious attempt to get 4,000 people to come up begging for their jobs."

"Is the Governor going to fire these men and still save the state the $20 million dollars he proposed to save or is he going to run a training school?"

A Brief Look at New 'Lung Law'

With West Virginia's Black Lung Association now a permanent fighting force for health and safety standards and our miners vowing to spend their July 1 vacation back at their "new home" in the Statehouse, it's time we looked at the new "lung law" to see just what it **does or does not do.**

MINER SHOWS FRESH BLACK LUNG FROM WVU

DOES—recognize black lung as an occupational disease.

►Define pneumoconiosis as a disease of the lungs caused by inhaling particles of dust over a period of time, and which can be identified by x-ray **or other medical evidence.**

►Presume you got the disease during your work, if you worked 10 of the 15 years immediately preceding your last exposure.

►Include silicosis, anthraco-silicosis, black lung or miner's asthma, silico-tuberculosis, tuberculo-silicosis, miner's lung with tuberculosis, asbestosis, siderosis, anthrax, and any and all other dust diseases of the lungs caused by occupational pneumoconiosis.

►Eliminate the Silicosis Board and establish an Occupational Pneumoconiosis Board dealing with all occupational lung diseases. (A second board—Occupational Disease Board—deals with all other occupational diseases.)

►Raise temporary total and permanent benefits to 45 percent of average weekly wage on July 1, and to 50 percent on July 1, 1970.

DOESN'T—presume that any lung impairment relates to a man's job.

►Establish a "state clinic" for work-related pulmonary diseases.

Editorial

Report from 'The Colony'

Well, we *are* a colony. Months ago, we voted to adopt the Modern Budget Amendment and dump the old "colonial" Board of Public Works. For years now, the coal operators, glass makers, and oil and gas conglomerates have extracted good health and "black gold" from our bodies and our hills, leaving us with something less than "statehood."

Even now, our younger U.S. citizens, signing up in the battle for social change, have a curious choice to make: *Should Johnny join the Peace Corps and go to Africa or join the Volunteers in Service to America and come to West Virginia?*

So, maybe it's tough to swallow. But what's more asinine: reporting the plight of the "colony" or urging a name change for the state in order to change the image?

The best answers to this and other like riddles can be found in the recent proceedings of our 59th West Virginia Legislature.

42,000 miners, the UMW, the AFL-CIO and the West Virginia Black Lung Association prodded these duly elected officials for 60 days, and at nine minutes till midnight on the final day they passed a meaningful workmen's compensation bill. Miraculously, the bill was salvaged by the diligent House conferees.

But other bills seriously intended to make this *"state"* a *State* didn't make it.

In the House, a human rights bill was quickly reduced to a "front-of-the-bus token" when members rejected Del. Robert R. Nelson's (D-Cabell) amendment to provide complainants with legal counsel. The vote was a tie—48 to 48—which says a lot for our "more liberal" House of Delegates.

In the Senate, the less said the better. After House passage, the Senate put the ax to the minimum wage, job protection, and labor relations bills.

Senator William Moreland (D-Monongalia), commenting on the beating he took trying gamely to "put the guts back" in the lung bill on the Senate floor before the conferees took over, said: "The boys over here are simply out to destroy the Democratic party."

Now, Bill Moreland's point may be well taken, but it is much too simple. Does it explain why Sen. Neal Kinsolving and Del. Cleo Jones, Republicans from Kanawha County, tried also to "put the guts back" in H.B. 1040—and Jones, finally, was successful in doing it?

No. Some of "the boys" in both houses are not out to destroy any parties. They are out to keep us a colony. And, if there are no changes in their constituents by 1970, they will certainly do it.

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"WITH THE COUNTRY STILL AT WAR, I'VE DECIDED TO MAKE A SACRIFICE AND NOT TAKE ADVANTAGE OF ONE OF MY TAX LOOPHOLES"

TAX REFORM . . . NOW!

By Keith Dix
Institute for Labor Studies

Talk of tax reform in March is much like the discussion of election reform in November—a lot of talk but no action.

In the case of taxes the inaction is difficult to understand, especially among the increasing number of working men and women whose family incomes put them in the middle income class. Today, 71 percent of all families with a blue or white-collar worker at the head have annual incomes between $5,000 and $15,000. And those of us in this group are the ones being hit hard by the present Federal tax structure.

The problem of inequities in our tax system was summed up quite well by Senator Walter Mondale (D-Minn.):

> A system which presently allows its wealthiest citizens to escape taxation or pay only a minimal percentage, while the majority of wage-earning middle-income taxpayers are seriously burdened by their tax load, is outrageous . . . We have a system riddled with loopholes, devices, and gaps which enable the rich to throw the tax burden on the middle-income taxpayer.

And Representative Charles Vanik (D-Ohio) said in Congress, "It is reprehensible that some Americans with fabulous incomes should escape their share of the tax load." He pointed out that if these individuals paid their share, everyone's tax burden would be less.

The Federal Government loses $19 billion every year through special loopholes favoring the rich, according to the U.S. Treasury Department. That amount is equal to one dollar in every ten of Federal revenue. When the rich don't pay, somebody else must.

To show how this burden falls on the working man's family the United Auto Workers recently compared the incomes of a union member and that of Mrs. Horace Dodge, Sr., widow of the well-known motor magnate. Roger Crain, 23 year old auto worker had a family income of $8,800 in 1967 and paid $1,044 in income taxes. Mrs. Dodge, on the other hand, put all of her $56 million fortune in tax-exempt municipal bonds and will earn between $1 and $2 million without paying a cent of Federal income tax.

Taxpayers should keep in mind that there are really two tax problems. The one we have been discussing relates to the burden of taxes on different income classes and is a problem of the structure of taxation. The other concerns the level or amount of taxes.

Plugging up the loopholes and easing the tax burden among lower and middle income groups would change the tax structure, but it might not affect the level of total taxes paid to the Treasury. Alternately, increasing or decreasing the level of taxes would have little or no impact on the structure.

The level of tax revenues, generally, is determined by economic factors and the needs of government, as we saw in 1964 when Federal income taxes were lowered in order to stimulate the national economy, or, again last year, when taxes were raised to stem the tide of inflation resulting from the rising costs of the war in Vietnam.

Unbelievably large sums of Federal funds being spent for war and related cost continue to be the most important reason why the level of Federal spending—and taxes—cannot be lowered. For example, in 1968, our military spending totaled $81 billion but the government took in only $69 billion from personal income taxes. Every cent of Federal income taxes—plus some—goes to pay for our military committments. The remainder comes from other types of taxation and borrowing. The war in Vietnam, alone, has been estimated to cost $30 billion a year.

Wage earners, obviously, have a stake in both the structure and level of Federal taxes.

Things you can do to speed tax reform:

1. **Make absolutely certain** your own Congressman and two U. S. Senators know your personal interest in tax reform. You have no right to grouse about tax inequities until you have a letter on record with members of Congress stating your personal views on this.

2. **Get all the facts** you can muster. If you need help, write the State AFL-CIO office for background information.

3. **Write letters** to your local newspaper on tax reform. Make your letter brief and to the point.

4. **Get a delegation together** the next time your Congressman or Senators are home. Put the issue to them squarely. Let them know you as a wage earner pay more than your fair share of taxes every time you get a paycheck while hundreds of thousands of wealthier people pay no or little taxes with the help of tax lawyers and accountants under present tax laws.

WATSON, MYLES AND PAULEY

(Continued from page 1)

be deciding an unfair labor practice against the highest office in the state."

Watson later attacked the amendment on the grounds that it advocated a "closed" or "union" shop—he wasn't sure which.

Del. Harry Howell (D-Monongalia) gave Watson a lesson in shop definitions. He said the bill would depict the conditions of a "union shop" in a management-labor relationship—but under one condition—"only if the employer agrees."

Delegates R. L. Davisson (R-Kanawha) and Odell Huffman (D-Mercer) opposed the amendment while admitting that the union had "filled a void" that the state had made through the "spoils system." They asked whether civil service might not be a better way of offering job security.

Jones pointed out that civil service may offer job security to the workers, but little else.

Among many of the amendment's supporters was Del. James Laulis (D-Harrison) who pleaded for the "pick 'n' shovel men."

'We must stop using human beings as cattle," he said. Laulis considered the question of civil service "a very naive one." "Why in the hell say anything?" he asked. "This legislature has failed to protect the workers and the unions have moved into the vacuum."

After a debate of about two hours, the amendment was defeated 47-49.

EARLIER DEBATE on the minimum wage bill followed the same pattern of three-cornered opposition.

Ned Watson supported the "Flanagan amendment," exempting all employers doing less than $250,000 business.

It was here that Del. Don Kopp (D-Harrison) who introduced the wage bill with Speaker Boiarsky, pointed out that the Federal minimum wage law goes in at $250,000. Kopp, Chairman of the House Labor and Industry Committee, said this was as good as scuttling the bill completely.

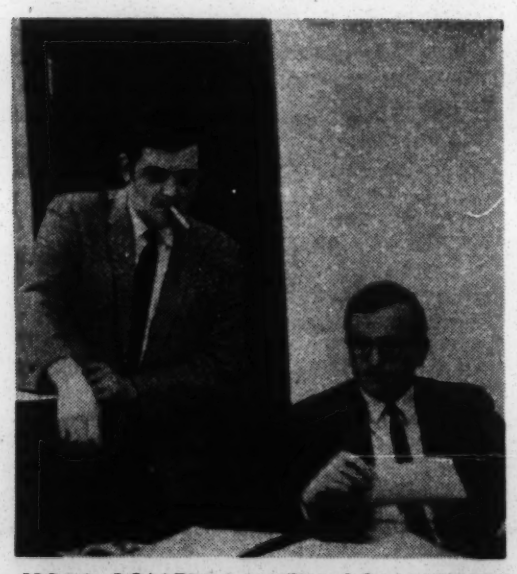
Myles was the leading spokesman for the "Ball amendment" deleting the escalator clauses from the bill that would have given West Virginia workers $1.60 per hour by 1971.

"We ought to hold the line," said Del. Fred Mulneix (R-Lewis). Mulneix is a union bricklayer making $5.50 per hour.

Pauley objected to a motion by the majority leader, William Shiflet (D-Monroe), that the constitutional rule for three readings be dispensed with in order to gain a legislative day.

"I'm tired of the sob sisters and bleeding hearts arguing the passage of this bill," Pauley said. "The minimum wage bill is not meant to help the working poor, but is a payoff to labor leaders in return for their support."

The rebuke was obviously leveled at the AFL-CIO as supporters of Ivor Boiarsky in his successful race against Watson, whom Pauley actively supported for speakership of the House of Delegates.



KOPP CONFERS WITH COMMITTEE CLERK ON WAGE BILL

'Winter School' for Building Trades

Members of West Virginia Building and Construction Trades Council put "theory and practice" on a two-way street at the second Winter Education Conference, held in Charleston at the Heart-O-Town Motor Inn, February 26-28.

The conference, co-sponsored by West Virginia University's Institute for Labor Studies and Manpower Development, gave its over 70 participants a chance to hammer out answers or "stump the experts" as all major current problems affecting the industry were served up by an impressive list of specialists.

Associated General Contractor's William E. Naumann keynoted the three-day conference Wednesday evening.

Louis Sherman, General Counsel for the Building and Construction Trades Department, AFL-CIO, opened Thursday's session with a down-to-earth approach to labor law. Sherman showed how the National Joint Board and the National Labor Relations Board match up historically in jurisdictional disputes.

As regional director of the N.L.R.B.'s Cincinnati office, Emil Farkus took up where Sherman left off. Farkus admitted there was little to refute in Sherman's "rule-of-thumb" assessment of N.L.R.B. decisions but cautioned union contenders to "get the facts" and positively predetermine which board has overriding legal action in a dispute.

J. B. Archer from the Bureau of Apprenticeship and Training and AFL-CIO Building and Construction Trades' Walter Mason spoke on apprenticeship needs and national legislation. Institute for Labor Studies' Keith Dix followed with a comprehensive talk on the "Economics of the Industry." West Virginia Department of Labor's Walter Snyder and Curtis Yago wound up the afternoon session with respective viewpoints on prevailing wages and safety regulations.

BLACK LABOR

On Friday, the conference swung into a long hard look at human relations.

Carl W. Glatt, Executive Director of the State Human Rights Commission was on hand with a hard-hitting rundown on "black rage." Glatt sketched a brief history of civil rights from Dred Scott to Martin Luther King. He praised the recent upswing of Negroe Apprentices among electricians' unions, and IBEW Local 466 noted they have had Negro journeymen since 1961.

A pretty fair batting average was found among bricklayers and laborers from the human rights standpoint, but Glatt asked the council to "look at the box score" and then decide "who will get to spring training."

Following Glatt, Emory F. Via, Labor Program Director at the Southern Regional Council, involved the members in a heated give and take over "Title VII Affirmative Action."

Via listed the hodge podge of agencies dealing in job discrimination and challenged the conference to see its way clear of the "alphabet soup" and recognize affirmative action, since minority kids are "non-traditional" and know little or nothing about the trade union movement.

According to Jim Wilks, Council President, the second Winter Educational Conference was the best yet. Contributing greatly to its overall success were the windup speakers, Attorney Edward C. Verst and AFL-CIO President Miles Stanley.

STRIKE TIPS

"Ed Verst posed the real 'how-to-do-it' in a strike situation," Wilks said. Discussed were the proper placement of pickets, legal rights under board investigations, and the best course to follow when the bargaining process is once exhausted.

President Stanley gave a legislative report on the present status of labor and "people-orientated" bills moving through the 59th West Virginia Legislature.

Harry Janney, the Council's secretary-treasurer and conference program director, was encouraged by the conference turnout and by the recent interest among younger trade unionists in upgrading all aspects of the construction industry.

COMPENSATION REPORT

BY JAMES G. GARDNER, DIRECTOR

To help speed the processing of your claim, all claims should be accompanied by an injury report form supplied by the Federation. Please include your claim number, if you have it.

Report of Activities for Fourth Quarter Ending December 31, 1968

Following is a statistical report of all claims processed by the Federation's Compensation Service Department for the Fourth Quarter ending December 31, 1968 along with recapitulation of the service from October 1, 1958 to December 31, 1968:

WORKMEN'S COMPENSATION

Claims Completed or in Process:			
Total Number of Claims Processed Fourth Quarter			136
Total Number of Claims on File as of December 31, 1968			7,056
Hearings in Protested Claims Before:			
Trial Examiner (34)			
Cases Submitted	11		
Cases Continued	23	Appeal Board	None
Pending Decisions Won	10		
Pending Decisions Lost	3		
Additional Benefits Paid Through Federation Efforts:			
Increased Rates, Additional Time, Reopening, etc.			$ 2,598.09
Amount of Permanent Partial Awards Paid through Referrals			31,471.31
Amount of Awards Won in Hearings			8,996.86
Total Benefits Paid Claimants in Fourth Quarter			$43,066.26

UNEMPLOYMENT COMPENSATION

Hearings in Protest Claims Before:			
Trial Examiner (18)		Board of Review (16)	
Decisions Won	10	Decisions Won	7
Decisions Lost	8	Decisions Lost	8
***Estimated Benefits Paid to Claimants:**			
Total U.C. Benefits Fourth Quarter through Federation Efforts			$11,268.00
Total Workmen's and Unemployment Awards Fourth Quarter			54,334.26
Recapitulation of Service (October 1, 1958 to December 31, 1968):			
Total Workmen's Compensation Awards			$2,436,482.10
Total U.C. (Estimated) Awards Paid			1,039,382.86
Grand Total of Benefits Paid to Claimants			$3,475,864.96

*U.C. Benefits are estimated on the basis of average weeks' duration since the Department cannot determine when a claimant returns to work; each claim processed may cover groups of members.

New Officers

Harrison County Labor Federation

John E. Biafore, president
Ray M. Payne, vice president
Mrs. Mary Messenger, secretary-treasurer
Mrs. Helen Leon, director Women's Activities Department
Charles B. Bragg, director Clarksburg Area COPE

Central Ohio Valley Union Council

John R. Seafler, president
C. Eugene Stump, financial secretary
James Burkhart, recording secretary

Huntington District Labor Council

Paul E. Thompson, president
Lloyd Loan, vice president
Sherman Gallimore, financial secretary
Mrs. Anna Fowler, recording secretary

Kanawha Valley Labor Council

Billy P. Light, president
James Glaspell, first vice president
James F. Wilks, second vice president
Stanley Roberts, treasurer
Ruby Lachet, recording secretary
George Coiner, COPE director
Jenny Martin, WAD director

GRAPE BOYCOTT GOES WORLD-WIDE

What began in the dusty vineyards around Delano in California's lower central valley over a year ago has spread into 84 countries as free world labor is responding to an appeal for help from U.S. farm workers by refusing to handle struck California grapes.

First to join the international boycott was the Swedish Landworkers' Union, one of the largest European importers of California table grapes for its consumer cooperatives, followed by transport unions in the other Scandanavian countries.

The Intl. Transport Workers' Federation, trade secretariat for 315 unions representing 7 million transport workers in 84 countries called on all affiliates Feb. 11 to support the boycott of the AFL-CIO Farm Workers Organizing Committee by refusing to buy, sell or unload grapes picked by non-union employees of the struck growers.

Similar action was taken a few days later by unions affiliated with the Intl. Federation of Plantation, Agricultural & Allied Workers.

ITF reported to its affiliates that the UFOWC's "Don't Buy California Grapes" campaign had been "tremendously successful" since UFWOC members struck in 1967 for recognition of their union and the right to bargain for better working conditions.

George Meany, at the AFL-CIO Executive Council's mid-winter sessions in Bal Harbour, Fla., strongly reaffirmed support for the Farm Workers, declaring "we are determined that they succeed and we intend to help them every inch of the way. Meany added that labor awaits with "great interest" the Administration report on coverage of farm workers under the national labor law.

President Nixon, in what is regarded by some labor experts as a "flip-flop" approach to union field hand recognition and by others as a typical "stall," has ordered a study on coverage of farm workers under the National Labor Relations Act. The reason for all the skepticism is that Nixon was instrumental in excluding farm workers from Taft-Hartley at the behest of California growers.

According to IFT, the appeal to buyers has been so successful that "the growers are now trying desperately to export to other countries grapes which they are unable to sell on the home market."

For that reason UFWOC has enlisted the "sympathetic support of unions and the public in Europe, Latin America and Asia."

AFT Offers Labor Education Scholarship

A ten week training program in labor education and an $800 scholarship is being offered by Workers Education Local 189, AFT, to a man or woman qualified for and interested in a career in labor education.

Now in its fifth year, the Local 189 annual apprenticeship program seeks to find new people for the fiield of labor education. The aim of the program is to give training to a younger man or woman who would like to make labor education a career but who needs more know-how. Among those particularly eligible to apply for the scholarship are union members who have been active in educational work in their unions, school or college teachers, and graduate students in the social sciences.

This year the Local 189 apprentice will spend most of his internship working in a union or university labor education program under the guidance of an experienced labor educator. In addition, the apprentice will spend at least a week in Washington, D. C., becoming acquainted with the AFL-CIO education program and the education personnel of the various international unions.

Labor education is the branch of adult education dealing with the educational needs of union members, particularly those active as stewards, officers and full-time representatives. Qualifications for work in labor education include experience with the labor movement, understanding of education principles, and familarity with such subjects as collective bargaining, economics, union administration, legislation and politics.

Deadline for applications is April 30, 1969. For application forms and more detailed information, write: 1969 Labor Education Internship, 535 Clemens Drive, Florissant, Missouri 63033.

New Contracts

Oil, Chemical and Atomic Workers with Carbide's Alloy

J. R. Killingsworth, business agent of Local 3-89, announced an approximate gain of 54 cents over a three-year period. Increases effective February 13 will average 23.7 cents and on the anniversary in 1970 approximately 17 cents, and 13 cents in 1971, plus more liberal fringes.

American Flint Glass Workers and Corning Glass

Local 570 President Raymond W. Stewart hailed a new three-year pact "as an indication of a fine relationship with the people at Parkersburg's Corning Glass Works."

A first-year increase of eight percent or 20 cents, whichever is greater, will be followed by an increase of 12 cents the second year, and a four percent increase the third year. All increases are to be reflected in incentive and piece work rates. Other benefits: a cost-of-living clause, new job evaluation plan, shift differentials, and a reduction in eligibility age.

AFL-CIO Locals and the Greenbrier

A new three-year contract between the White Sulphur Springs Co. and Laborers' Local 1182 and Hotel and Restaurant Employees Local 863 calls for wage increases and other benefits for union employees.

Secretary-manager Jack Gillespie reports that, although all contracts have been settled, some detail work on provisions is being worked out, and full disclosure will be made at a later date.

Laborers Local 814 and West Virginia University

"A revised memorandum of accord," came for WVU physical plant plant workers after many months of negotiations which began after members of the AFL-CIO affiliate went on strike early in 1968 over the hiring of a worker.

Sick leave with pay, better holiday and vacation policies and union bulletin boards were several of the benefits won by the International Laborers local. President Charles Lazelle says that the so-called memorandum of accord "has helped achieve significant new benefits for the local as well as all WVU employees."

Beech Bottom Workers at Wheeling Steel

Staff Rep. Louis Simpson reports USW Local 6952 gained a 90-cent package effective until July, 1971. Simpson ranked holiday pay, improved grievance proceedings, and an improved safety program as the major changes in contract language.

LABOR COMMISSIONER PICKED

A man identified informally as the Governor's "high school chum" has been appointed state labor commissioner.

Officially, Robert A. McConnell of Wheeling got the job of labor commissioner on Tuesday, February 25.

The Governor declared in a press conference Tuesday that McConnell, "by both training and experience," is "eminently qualified" for the position.

For the past 2½ years, McConnell has been business manager for Wheeling IBEW Local 141. Prior to that, he served as assessor of Marshall County and worked 15 years as an electrician.

McConnell, 45, is the same age as Moore. Both are natives of Moundsville, and both attended Marshall County Public schools.

McConnell succeeds Lawrence Barker, former mayor and city manager of Dunbar, who has been labor commissioner almost eight years.

ROBERT A. McCONNELL

A & P Won't Buy Grapes

"The reported agreement by A&P Food Stores to refuse to handle California grapes is evidence that the United Farm Workers are winning their boycott effort."

—Rep. Benjamin S. Rosenthal (D-New York)

★ ★ ★

"Physician-Heal-Thyself" Award

To the young doctor interviewed by *Wall Street Journal's* Earl Gottschalk, who said: *"Health care is more important than any other service we have. Yet we leave the decision as to who shall have it and what it will cost almost entirely to the providers of that service — the doctors."*

★ ★ ★

SRC WORKER 'HANGS TIGHT'

JOINING HANDS in order to move even one step closer towards recognition and the right to be heard and to bargain IS NOT "Neglect of Duty!"

★ ★ ★

DISAPPEARING JOBS — "The milkman is fast declining," says a state employment official, as stiff supermarket price competition beats costlier home-delivery service. Shoe repairmen are dwindling as more people throw away old shoes rather than fix them. Growing use of plastic barrels makes the cooper a vanishing breed. Pullman porters nearly vanished early this year when Pullman Co. turned over its last few sleeping cars to individual railroads, and coal country youths have decided, "there may be money in mining, but you don't live long enough to spend it."

★ ★ ★

A Delicate Balance

"The rage in the black community that produces an Eldridge Cleaver and the fear in the white community that produces a George Wallace are the result of the same thing. . . . If the social and economic program of the AFL-CIO were adopted, then both Cleaver and Wallace could no longer make hay by appealing to people's frustrations."

—Bayard Rustin, 1968

★ ★ ★

We Hear You Knockin'

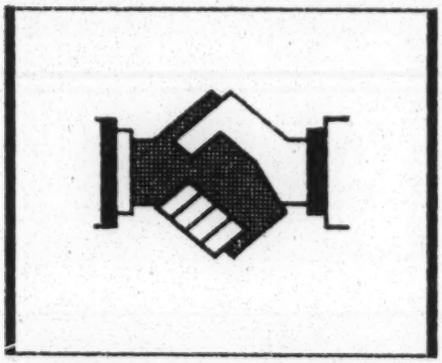
"On every contented, happy man's doorstep there should be someone with a hammer in his hand who would keep reminding the happy man by knocking that there are unhappy people in the world, and that, however happy he may be, sooner or later life will show him its talons and misfortune will befall him in the form of sickness, poverty, and no one will see him or hear him, just as today he neither hears nor sees others."

—Anton Chekov, 1898.

SRC Labor Program Publicity

ORGANIZED LABOR
and
WORKMEN'S CIRCLE

Annual Labor Awards Banquet



Sheraton-Biltmore — Atlanta, Georgia

May 1, 1969

VIRGINIA STATE AFL-CIO

Labor Program — Publicity

News Hi-Lites

MARCH 1969

WEEKEND INSTITUTES SUCCESS

RECORD ATTENDANCE

(Sen. Howell addresses week-end Institute)

The 1969 Virginia State AFL-CIO Week End Institutes were held on February 14, 15, 16, in Norfolk, and on February 21, 22, 23, in Roanoke. Both meetings were will attended and actually set a record with the Norfolk attendance at well over 300, and the Roanoke attendance over 200.

The Saturday sessions this year were divided into four workshops: COPE (Challenge of the Nixon Administration), Union Security - Builds Strong Unions, Program of Progress, and Community Services.

The COPE Workshop was led by Wilbur Hobby, Area COPE Director, along with Ruth Columbo, Eastern Area WAD Director, and Frances Lowe, Virginia State AFL-CIO WAD Director. The instructors were joined in Roanoke by Mrs. Fannie Neal and W. C. Young, both of the National COPE Staff.

Stuart Brock, Staff Representative, AFL-CIO Education Department, was discussion leader for the Union Security Workshop. The workshop on the Program of Progress was conducted by Arthur White, Public Relations and Research Director, Virginia State AFL-CIO. Part of the Program of Progress workshop included a special film which was prepared by the Department of Public Relations which dealt with the accomplishments of the Program of Progress.

Ralph C. Smith, Staff Liaison Representative, AFL-CIO Community Services Activities, led the workshop on "Helping Union Members Through Community Resources."

Guest speaker for the Saturday evening banquet was Emory Via, Director, Labor Program, Southern Regional Council. Mr. Via's talk was based on "Political Trends in the South."

On Sunday, State Senator Henry Howell, along with his campaign manager Joe Fitzpatrick, addressed the conclave and brought the members up to date on the progress of the Howell for Governor Campaign. Senator Howell pointed out that the margin of victory in his campaign lies in the hands of every union member throughout Virginia.

ALL LOCAL COPES ARE ASKED TO REFRAIN FROM MAKING ENDORSEMENTS OF ANY CANDIDATES IN 1969 OTHER THAN THE GOVERNOR'S RACE, UNTIL SUCH TIME AS QUESTIONNAIRES CAN BE REVISED AND CANDIDATE INTERVIEWS ARRANGED.

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